

STATE OF NEW YORK

4469--A

Cal. No. 1175

2025-2026 Regular Sessions

IN SENATE

February 5, 2025

Introduced by Sen. MAYER -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- recommitted to the Committee on Education in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the education law, in relation to absentee ballots for school district elections due to a religious commitment

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraphs a and c of subdivision 2 of section 2018-a of
2 the education law, as amended by chapter 541 of the laws of 2025, are
3 amended to read as follows:

4 a. A qualified voter may vote as an absentee voter under this section
5 if on the occurrence of an election such voter expects to be:

6 (1) absent from their county of residence; or

7 (2) unable to appear personally at the polling place because of
8 illness or physical disability, or duties related to the primary care of
9 one or more individuals who are ill or physically disabled, or because
10 such voter will be or is a patient in a hospital; or

11 (3) a resident or patient of a veteran's administration hospital; or

12 (4) absent from such voter's voting residence because such voter is
13 detained in jail awaiting action by a grand jury or awaiting trial, or
14 confined in jail or prison after a conviction for an offense other than
15 a felony, provided that such voter is qualified to vote in the election
16 district of such voter's residence~~[-]~~; or

17 (5) unable to be present due to such voter's observance of a religious
18 commitment or following such voter's religious teaching or tenet that
19 forbids secular activity on that day.

20 c. The application for an absentee ballot when filed must contain in
21 each instance the following information:

22 (1) Applicant's full name, date of birth, and residence address,
23 including the street and number, if any, rural delivery route, if any,

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD08446-02-6

1 mailing address if different from the residence address and an address
2 to which the ballot shall be mailed.

3 (2) A statement that the applicant is a qualified and registered
4 voter.

5 (3) A statement, as appropriate, that on the day of such election the
6 applicant expects in good faith to be in one of the following catego-
7 ries:

8 (a) absent from their county of residence; provided, however, if the
9 applicant expects to be absent from such county for a duration covering
10 more than one election and seeks an absentee ballot for each election,
11 such applicant shall state the dates when they expect to begin and end
12 such absence; or

13 (b) unable to appear at a polling place because of illness or physical
14 disability or duties related to the primary care of one or more individ-
15 uals who are ill or physically disabled; or

16 (c) a resident or patient of a veteran's administration hospital; or

17 (d) detained in jail awaiting action by a grand jury or awaiting trial
18 or confined in jail or prison after a conviction for an offense other
19 than a felony and stating the place where such applicant is so detained
20 or confined[~~+~~]; or

21 (e) unable to be present due to such voter's observance of a religious
22 commitment or following such voter's religious teaching or tenet that
23 forbids secular activity on that day.

24 § 2. Paragraph a of subdivision 2 of section 2018-b of the education
25 law, as amended by chapter 541 of the laws of 2025, is amended to read
26 as follows:

27 a. An applicant for such an absentee ballot shall submit an applica-
28 tion setting forth:

29 (1) such applicant's full name, date of birth and residence address,
30 including the street and number, if any, or town and rural delivery
31 route, if any, mailing address if different from the residence address
32 and an address to which the ballot shall be mailed;

33 (2) that such applicant is or will be, on the day of the school
34 district election, a qualified voter of the school district;

35 (3) a statement, as appropriate, that on the day of such election the
36 applicant expects in good faith to be in one of the following catego-
37 ries:

38 (a) a resident or patient in a hospital, including a veteran's admin-
39 istration hospital, or unable to appear personally at the polling place
40 on such day because of illness or physical disability, or duties related
41 to the primary care of one or more individuals who are ill or physically
42 disabled; or

43 (b) absent from the county of such applicant's residence; provided,
44 however, if the applicant expects to be absent from such county for a
45 duration covering more than one election and seeks an absentee ballot
46 for each election, such applicant shall state the dates when they expect
47 to begin and end such absence; or

48 (c) detained in jail awaiting action by a grand jury or awaiting trial
49 or confined in jail or prison after a conviction for an offense other
50 than a felony and stating the place where such applicant is so detained
51 or confined[~~+~~]; or

52 (d) unable to be present due to such applicant's observance of a reli-
53 gious commitment, or following such applicant's religious teaching or
54 tenet that forbids secular activity on that day.

55 § 3. This act shall take effect immediately.