

STATE OF NEW YORK

7252

2025-2026 Regular Sessions

IN SENATE

April 7, 2025

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to prohibiting the delivery of an absentee ballot or an application therefore to an address associated with a candidate's campaign

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

1 Section 1. Paragraph (d) of subdivision 2 of section 8-400 of the
2 election law, as amended by chapter 481 of the laws of 2023, is amended
3 to read as follows:

4 (d) The board of elections shall mail an absentee ballot to every
5 qualified voter otherwise eligible for such a ballot, who requests such
6 an absentee ballot from such board of elections in writing in a letter,
7 telefax indicating the address, phone number and the telefax number from
8 which the writing is sent or other written instrument, or an electronic
9 application submitted by the voter through the electronic absentee
10 ballot application transmittal system established by the state board of
11 elections, which is signed by the voter and received by the board of
12 elections not later than the tenth day before the election for which the
13 ballot is first requested and which states the address where the voter
14 is registered and the address to which the ballot is to be mailed;
15 provided, however, a military voter may request a military ballot or
16 voter registration application or an absentee ballot application in a
17 letter as provided in subdivision three of section 10-106 of this chap-
18 ter; ~~[and]~~ provided further, a special federal voter may request a
19 special federal ballot or voter registration application or an absentee
20 ballot application in a letter as provided in paragraph d of subdivision
21 one of section 11-202 of this chapter; and provided further, no ballot
22 application shall be mailed to an address associated with a candidate's
23 campaign. The board of elections shall enclose with such ballot a form

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

LBD11468-01-5

1 of application for absentee ballot if the applicant is registered with
2 such board of elections.

3 § 2. Subdivision 1 of section 8-406 of the election law, as amended by
4 section 2 of part HH of chapter 55 of the laws of 2022, is amended to
5 read as follows:

6 1. If the board shall find that the applicant is a qualified voter of
7 the election district containing ~~[his]~~ such applicant's residence as
8 stated in ~~[his]~~ such applicant's statement and that ~~[his]~~ their state-
9 ment is sufficient, it shall, as soon as practicable after it shall have
10 determined ~~[his]~~ such applicant's right thereto, mail to ~~[him]~~ them at
11 an address designated by ~~[him]~~ such applicant, or deliver to ~~[him]~~ them,
12 or to any person designated for such purpose in writing by ~~[him]~~ such
13 applicant, at the office of the board, such an absentee voter's ballot
14 or set of ballots and an envelope therefor. If the ballot or ballots are
15 to be sent outside of the United States to a country other than Canada
16 or Mexico, such ballot or ballots shall be sent by air mail. However,
17 if an applicant who is eligible for an absentee ballot is a resident of
18 a facility operated or licensed by, or under the jurisdiction of, the
19 department of mental hygiene, or a resident of a facility defined as a
20 nursing home or residential health care facility pursuant to subdivi-
21 sions two and three of section two thousand eight hundred one of the
22 public health law, or a resident of a hospital or other facility oper-
23 ated by the Veteran's Administration of the United States, such absentee
24 ballot need not be so mailed or delivered to any such applicant but, may
25 be delivered to the voter in the manner prescribed by section 8-407 of
26 this ~~chapter~~ title if such facility is located in the county or city
27 in which such voter is eligible to vote. No absentee voter's ballot
28 shall be mailed to an address associated with a candidate's campaign.

29 § 3. This act shall take effect immediately.