

STATE OF NEW YORK

8647

IN SENATE

January 7, 2026

Introduced by Sen. GONZALEZ -- 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 voting machines and systems

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

1 Section 1. Subdivision 1 of section 7-200 of the election law, as
2 amended by chapter 181 of the laws of 2005, is amended to read as
3 follows:
4 1. The board of elections of the city of New York and other county
5 boards of elections may adopt any kind of voting machine or system
6 approved by the state board of elections, or the use of which has been
7 specifically authorized by law; and thereupon such voting machine or
8 system may be used at any or all elections and shall be used at all
9 general or special elections held by such boards in such city, town or
10 village and in every contested primary election in the city of New York
11 and in every contested primary election outside the city of New York in
12 which there are one thousand or more enrolled voters qualified to vote.
13 No voting machine or system shall be approved by the state board of
14 elections unless such machine or system meets the requirements of
15 section 7-202 of this title and has been tested pursuant to section
16 7-206 of this title against the standards set forth in the voluntary
17 voting system guidelines adopted by the United States election assist-
18 ance commission on December thirteenth, two thousand five; provided,
19 however, that the provisions of this subdivision requiring compliance
20 with such guidelines shall apply solely to those components of a voting
21 system that function to record, cast, or tabulate votes, and shall not
22 apply to electronic poll books or systems utilized solely for the
23 purpose of marking accessible absentee ballots pursuant to paragraph (c)
24 of subdivision two of section 8-400 of this chapter. No more than two
25 types of voting machines or systems may be used by any local board of
26 elections at a single election. Notwithstanding the other provisions of
27 this subdivision, any local board of elections may borrow or lease for
28 use on an experimental basis for a period of not more than one year

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

LBD14365-01-6

1 each, voting machines or systems of any type approved by the state board
2 of elections.

3 § 2. Subdivision 1 of section 7-201 of the election law, as amended by
4 chapter 181 of the laws of 2005, is amended to read as follows:

5 1. Any person or corporation owning or being interested in any voting
6 machine or system may apply to have the state board of elections examine
7 such machine or system. Such applicant shall pay to the board before the
8 examination a fee equal to the cost of such examination. The state board
9 of elections shall cause the machine or system to be examined for
10 compliance with the requirements of section 7-202 of this title and a
11 report of the examination to be made and filed in the office of the
12 state board. Such examination shall include a determination as to wheth-
13 er the machine or system meets the requirements of section 7-202 of this
14 title and a thorough review and testing of any electronic or computer-
15 ized features of the machine or system. Such report shall state an opin-
16 ion as to whether the kind of machine or system so examined can safely
17 and properly be used by voters and local boards of elections at
18 elections, under the conditions prescribed in this article and the
19 requirements of the federal Help America Vote Act. If the report states
20 that the machine or system can be so used, and the board after its own
21 examination so determines, in accordance with subdivision four of
22 section 3-100 of this chapter, the machine or system shall be deemed
23 approved, and machines or systems of its kind may be adopted for use at
24 elections as herein provided. The voting machine or system shall be
25 examined by examiners or testing laboratories to be selected for such
26 purpose by the state board. Each examiner or laboratory shall receive
27 compensation and expenses for making an examination and report as to
28 each voting machine or system examined by [~~him~~] such examiner or [~~it~~]
29 such laboratory. Neither any member of the state board of elections nor
30 any examiner or owner or employee of any testing laboratory, shall have
31 any pecuniary interest in any voting machine or system. Any form of
32 voting machine or system not so approved, cannot be used at any
33 election.

34 § 3. Section 7-202 of the election law is amended by adding a new
35 subdivision 1-a to read as follows:

36 1-a. In addition to the requirements set forth in subdivision one of
37 this section, no voting machine or system shall be approved by the state
38 board of elections unless such machine or system complies with the
39 voluntary voting system guidelines adopted by the United States election
40 assistance commission on December thirteenth, two thousand five;
41 provided, however, that the provisions of this subdivision requiring
42 compliance with such guidelines shall apply solely to those components
43 of a voting system that function to record, cast, or tabulate votes, and
44 shall not apply to electronic poll books or systems utilized solely for
45 the purpose of marking accessible absentee ballots pursuant to paragraph
46 (c) of subdivision two of section 8-400 of this chapter.

47 § 4. Section 7-206 of the election law is amended by adding a new
48 subdivision 5 to read as follows:

49 5. The examination and testing of any voting machine or system by the
50 state board of elections, or by any examiner or testing laboratory
51 selected by such board, shall be conducted to ensure compliance with the
52 voluntary voting system guidelines adopted by the United States election
53 assistance commission on December thirteenth, two thousand five.

54 § 5. This act shall take effect immediately.