§ 3-108. Disaster; additional day for voting. 1. A county board of elections, or the state board of elections with respect to an election conducted in a district in the jurisdiction of more than one county board of elections, may determine that, as the direct consequence of a fire, earthquake, tornado, explosion, power failure, act of sabotage, enemy attack or other disaster, less than twenty-five per centum of the registered voters of any city, town or village, or if the city of New York, or any county therein, actually voted in any general election. Such a determination by a county board of elections shall be subject to approval by the state board of elections. If the state board of elections makes such a determination, it shall notify the board of elections having jurisdiction in that county that an additional day of election shall be held, which notice shall show: the nature of the disaster; the county, city, town or village affected thereby; the number of persons duly registered to vote therein at such general election; and the number of persons who voted therein at such general election.

2. The county board of elections shall thereafter set a date for an additional day for voting in the county, city, town or village affected by the statement, which shall not be more than twenty days after the original date of the general election and shall determine the hours during which the polls shall remain open on such additional day for voting; provided, however, that in any event the polls shall remain open for not less than eleven hours. The county board of elections shall publish notice thereof not less than twice in each week preceding the date for the additional day for voting, in newspapers as designated in this chapter, and shall notify all registered voters by mail. Such notice shall also direct attention to any change of polling places and shall contain such other and additional information as in the judgment of the board of elections shall be necessary and proper.

3. Official ballots shall be provided at public expense at each polling place for such additional day of election. In any election district in which voting machines were used upon the original day of voting, they shall be used for the additional day for voting. The original seal on such machines shall not be removed nor shall the machines be unlocked until the opening of the polls on the additional

day for voting and the board of elections shall provide an additional seal to be used as soon as the polls are closed on such day.

4. Only those persons duly registered to vote upon the original date of the general election who did not vote on such date shall be entitled to vote on the additional day for voting. Voting on the additional day provided for in this section shall be accomplished solely by physically appearing at the polling place and nothing contained in this section shall be construed to extend the time set by law for casting or canvassing a military, early mail, absentee or special presidential ballot; provided, however, that nothing contained herein shall be deemed to invalidate any early mail, absentee, military or special presidential ballot duly received on the original date of the general election.

5. A county board of elections, or the state board of elections with respect to an election conducted in a political subdivision in the jurisdiction of more than one county board of elections, may determine that, as the direct consequence of a fire, earthquake, tornado, explosion, power failure, act of sabotage, enemy attack or other disaster, the ability to make a filing with respect to any provision of this chapter was substantially impaired. Upon making such a finding, a county board of elections, or the state board of elections shall extend for a reasonable time the period for making such filing. An extension pursuant to this subdivision granted by a county board of elections shall be subject to the approval of the state board of elections if such extension is longer than one business day.