§ 7-203. Voting machines; requirement of use. 1. The board of elections shall provide a sufficient number of voting machines to fully equip all election districts within its jurisdiction. Such voting machines shall be used at all general, special and primary elections conducted pursuant to this chapter.

2. Notwithstanding any provision of law to the contrary, the state board of elections shall establish, in accordance with subdivision four of section 3-100 of this chapter, for each election, the minimum number of voting machines required in each polling place and the maximum number of voters that can vote on one voting machine. Such minimum number of voting machines shall be based on the voting machine in use, taking into account machine functionality and capability, including the ability to tabulate multiple official ballots and the need for efficient and orderly elections and, in the case of a general or special election, the number of registered voters, excluding voters in inactive status, in the election district or, in the case of a primary election, the number of enrolled voters, excluding voters in inactive status, therein.

3. In the event that the board of elections shall not agree upon, or the county shall not execute a contract or contracts for the purchase of, the necessary voting machines, such contract or contracts shall be awarded, made and executed by the state board of elections, in accordance with subdivision four of section 3-100 of this chapter, on approval of the attorney general as to form. The expense of making and entering into such contracts, including the preparation and printing of specifications, and also all payments for voting machines to be made thereunder, shall be chargeable to the county, except in the city of New York where such expense shall be chargeable to such city, and it shall be the duty of the comptroller or other chief fiscal officer of the county or city, as the case may be, to pay the same upon the certificate of the officer making such contract, or upon the certificate of the state board of elections in the event that such contract be made by it. No provision of any charter or other law or ordinance governing the purchase of patented articles shall be deemed to apply to the purchase of voting machines pursuant to the provisions of this section. Nothing in this section shall be construed to prevent the state board of

elections from distributing voting machines to boards of elections pursuant to other provisions of this chapter without charge.

4. The board of elections may purchase voting machines for use in demonstration and as extra machines within the county.