§ 8-402. Absentee voting; review of application by board of elections. 1. Upon receipt of an application for an absentee ballot the board of elections shall forthwith determine upon such inquiry as it deems proper whether the applicant is qualified to vote and to receive an absentee ballot, and if it finds the applicant is not so qualified it shall reject the application after investigation as hereinafter provided.

2. The county board of elections, whenever it is not satisfied from an examination of an application for an absentee ballot that the applicant is entitled to such a ballot, may order an investigation through any officer or employee of the state or county board of elections, police officer, sheriff or deputy sheriff, or a special investigator appointed by the state board of elections pursuant to the provisions of this chapter and, if it deems necessary, may exercise the powers to issue subpoenas and administer oaths which are conferred upon it by this chapter.

3. An affidavit or a signed statement executed by any person authorized to conduct an investigation pursuant to this section which indicates that the applicant for an absentee ballot meets or fails to meet any of the requirements entitling the applicant to same shall be sufficient authority for a determination by the board as to the applicant's right to an absentee voter's ballot, but shall not preclude the board from making such other determination as it shall deem proper. Such affidavit or statement shall contain sufficient information to permit verification of the information contained in the statement and identification of the source.

4. Any investigation shall be concluded and determination made as to all applicants not later than the day before the election for which a ballot is first requested, or if such ballot is to be sent by mail, such determination shall be made at a time which will afford sufficient time for the transmission of the ballot to the voter, one secular day for the voter to mark such ballot and execute the statement of absentee voter, and time for the return of such ballot to the board of elections by the deadline for its receipt. If the board can not complete its investigation within the time provided for herein, it shall, if it finds

the voter to be duly registered, deliver to such applicant an absentee ballot.

5. If the board shall determine that the applicant is not entitled to an absentee ballot it shall immediately notify the applicant, giving him the reason for such rejection.

6. In the case of a primary election, the board shall deliver only the ballot of the party in which the records of the board of elections show the applicant to be enrolled. In the event a primary election is uncontested in the applicant's election district for all offices or positions except the party position of member of the ward, town, city or county committee, no ballot shall be delivered to such applicant for such election; and the applicant shall be advised why he is not being sent a ballot.

7. The board shall keep a record of applications for absentee ballots as they are received, showing the names and residences of the applicants, and their party enrollment in the case of primary elections, and, as soon as practicable shall, when requested, give to the chairman of each political party or independent body in the county, and shall make available for inspection to any other qualified voter upon request, a complete list of all applicants to whom absentee voters' ballots have been delivered or mailed, containing their names and places of residence as they appear on the registration record, including the election district and ward, if any, and in the city of New York and the county of Nassau, the assembly district, and their party enrollment in the case of primary elections.