§ 8-600. Early voting. 1. Beginning the tenth day prior to any general, primary, run-off primary pursuant to subdivision one of section 6-162 of this chapter or special election for any public or party position except for such an election held pursuant to title two of article six or article fifteen of this chapter, and ending on and including the second day prior to such general, primary, run-off primary or special election for such public office or party position, persons duly registered and eligible to vote at such election shall be permitted to vote as provided in this title. The board of elections shall establish procedures, subject to approval of the state board of elections, to ensure that persons who vote during the early voting period shall not be permitted to vote subsequently in the same election.

2. (a) The board of elections shall designate polling places for early voting, which may include the offices of the board of elections, for persons to vote early pursuant to this title.

(b) The largest city in the county or, if there is no city in the county, the municipality with the highest population in each county based on the latest federal decennial census, or the county seat in Washington county, shall have at least one polling place designated for early voting, and to the extent practicable if such city or municipality has public transportation routes, such polling place shall be situated along such transportation routes.

(c) In counties with at least five hundred thousand registered voters, there shall be so designated at least one early voting polling place for every full increment of forty thousand registered voters.

(d) In all other counties with less than five hundred thousand registered voters, there shall be so designated at least one early voting polling place for every full increment of thirty thousand registered voters; provided, however, the number of early voting polling places in counties with less than five hundred thousand registered voters shall not be required to be greater than ten nor less than one.

(e) For any special, primary or run-off primary election at which no voters of the municipality with the highest population within the county are eligible to vote, the board of elections may, in lieu of having an early voting polling place in such municipality, designate a polling place for early voting in the municipality with the highest population

within the county within which the voters are eligible to vote at such special, primary, or run-off primary election.

(f) The board of elections of each county or the city of New York may establish additional polling places for early voting in excess of the minimum number required by this subdivision for the convenience of eligible voters.

(g) Notwithstanding the minimum number of early voting poll sites otherwise required by this subdivision, for any primary or special election, upon majority vote of the board of elections, the number of early voting sites may be reduced when the board of elections determines a lesser number of sites is sufficient to meet the needs of early voters.

(h) Polling places for early voting shall be located so that voters in the county have adequate and equitable access, taking into consideration population density, travel time to the polling place, proximity to other early voting poll sites, public transportation routes, commuter traffic patterns and such other factors the board of elections deems appropriate. The provisions of section 4-104 of this chapter, except subdivisions four and five of such section, shall apply to the designation of polling places for early voting except to the extent such provisions are inconsistent with this section.

3. Any voter may vote at any polling place for early voting established pursuant to subdivision two of this section in the county where such voter is registered to vote; provided, however, if it is impractical to provide each polling place for early voting all of the election district ballots or if early voting at any such polling place makes ensuring that no voter has not previously voted early during such election, the board of elections may assign election districts to a particular early voting poll site. All voters in each county shall have one or more polling places at which they are eligible to vote throughout the early voting period on a substantially equal basis. If the board of elections does not agree by majority vote to plan to assign election districts to early voting poll sites, all voters in the county must be able to vote at any poll site for early voting in the county.

4. (a) Polls shall be open for early voting for at least eight hours

between seven o'clock in the morning and eight o'clock in the evening each week day during the early voting period.

(b) At least one polling place for early voting shall remain open until eight o'clock in the evening on at least two week days in each calendar week during the early voting period. If polling places for early voting are limited to voters from certain areas pursuant to subdivision three of this section, polling places that remain open until eight o'clock shall be designated such that any person entitled to vote early may vote until eight o'clock in the evening on at least two week days during the early voting period.

(c) Polls shall be open for early voting for at least eight hours between nine o'clock in the morning and eight o'clock in the evening on each Saturday, Sunday and legal holiday during the early voting period.

(d) Nothing in this section shall be construed to prohibit any board of elections from establishing a greater number of hours for voting during the early voting period beyond the number of hours required in this subdivision.

(e) Early voting polling places and their hours of operation for early voting at a general election shall be designated by May first of each year pursuant to subdivision one of section 4-104 of this chapter. Notwithstanding the provisions of subdivision one of section 4-104 of this chapter early voting polling places and their hours of operation for early voting for: (i) a primary or special election shall be made not later than forty-five days before such primary or special election; (ii) thirty days before a special election held pursuant to paragraph b of subdivision three of section forty-two of the public officers law; and (iii) a run-off primary pursuant to subdivision one of section 6-162 of this chapter shall be made as soon as practicable.

(f) If the location of an early voting polling place as designated pursuant to paragraph (e) of this subdivision changes prior to such early voting period, notice shall be provided to all affected eligible voters no later than five days prior to such voting period in accordance with the communication plan established pursuant to subdivision five of this section or as soon as practicable if such location change occurs within five days of the commencement of such early voting period; provided, however, no such location change may occur within forty-eight hours of such commencement unless there is any disaster within the

meaning of section 3-108 of this chapter or a declared state of emergency by the governor or any court of competent jurisdiction in the county where the polling place is located.

5. Each board of elections shall create a communication plan to inform eligible voters of the opportunity to vote early. Such plan may utilize any and all media outlets, including social media, and shall publicize: the location and dates and hours of operation of all polling places for early voting; an indication of whether each polling place is accessible to voters with physical disabilities; a clear and unambiguous notice to voters that if they cast a ballot during the early voting period they will not be allowed to vote election day; and if polling places for early voting are limited to voters from certain areas pursuant to subdivision three of this section, the location of the polling places for early voting serving the voters of each particular city, town or other political subdivision.

6. The form of paper ballots used in early voting shall comply with the provisions of article seven of this chapter that are applicable to voting by paper ballot on election day and such ballot shall be cast in the same manner as provided for in section 8-312 of this article, provided, however, that ballots cast during the early voting period shall be secured in the manner of voted ballots cast on election day and such ballots shall not be canvassed or examined until after the close of the polls on election day, and no unofficial tabulations of election results shall be printed or viewed in any manner until after the close of polls on election day.

7. Voters casting ballots pursuant to this title shall be subject to challenge as provided in sections 8-500, 8-502 and 8-504 of this article.

8. Notwithstanding any other provisions of this chapter, at the end of each day of early voting, any early voting ballots that have not been scanned because a ballot scanner was not available or because the ballot has been abandoned by the voter at the ballot scanner shall be cast in a manner consistent with section 9-110 of this chapter, except that such

ballots which cannot then be cast on a ballot scanner shall be held inviolate and unexamined and shall be duly secured until after the close of polls on election day when such ballots shall be examined and canvassed in a manner consistent with subdivision two of section 9-110 of this chapter.

9. The board of elections shall secure all ballots and scanners used for early voting from the beginning of the early voting period through the close of the polls on election day; provided, however, the state board of elections may by regulation duly adopted by a majority of such board establish a procedure whereby ballot scanners used for early voting may also be used on election day if the portable memory devices used during early voting containing the early voting election information and vote tabulations are properly secured apart from the scanners, and the results therefrom shall be duly canvassed after the close of polls on election day.

10. After the close of polls on election day, inspectors or board of elections employees appointed to canvass ballots cast during early voting shall follow all relevant provisions of article nine of this chapter that are not inconsistent with this section, for canvassing, processing, recording, and announcing results of voting at polling places for early voting, and securing ballots, scanners, and other election materials. Such canvass may occur at the offices of the board of elections, at the early voting polling place or such other location designated by the board of elections.

11. Notwithstanding the requirements of this title requiring the canvass of ballots cast during early voting after the close of polls on election day, such canvass may begin one hour before the scheduled close of polls on election day provided the board of elections adopts procedures to prevent the public release of election results prior to the close of polls on election day and such procedures shall be consistent with the regulations of the state board of elections and shall be filed with the state board of elections at least thirty days before they shall be effective.