§ 9-126. Unofficial tally of election results. 1. In an election district of the county of Nassau, the chair of the board of inspectors, upon the completion of the return of canvass, and the announcement thereof in a primary or general election, shall deliver to the police officer on duty at the polling place a statement signed by the board of inspectors stating the number of votes received by each person voted for and the number of votes cast for and the number of votes cast against each ballot proposal. Such officer forthwith shall convey the statement to the stationhouse of the police precinct in which such place of canvass is located, and shall deliver it inviolate to the officer in command thereof, who shall immediately transmit by telegraph, telephone or messenger, the contents of such statement to the officer commanding the police department of such county who shall immediately make the contents of such statement available for the press. The chair of the board of inspectors in each election district of such county shall make two copies of the statement hereinbefore provided for, which shall be taken to the police station, whence one such copy shall be transmitted without delay to police headquarters, or such other location as may be designated by the officer commanding the police department, where it shall be made immediately available to the press for purposes of tabulation. The other copy shall be transmitted within twenty-four hours to the board of elections. All statements made pursuant to this section shall be preserved for six months by the police and shall be presumptive evidence of the result of such canvass.

2. (a) Except in the county of Nassau, the chair of the board of inspectors, upon completion of the return of canvass and the announcement thereof, in a general or primary election, shall immediately communicate such results by telephone, or delivery, to the board of elections. Such results shall include the number of votes received by each person voted for and the number of votes cast for and against each ballot proposal.

(b) The board of elections shall remain open after the close of the polls and shall receive and tabulate the voting results as they are received. The board of elections shall make such unofficial results available to the media and the state board of elections, and shall post running totals in a public place and on the internet as the results

become known to it.

3. The results made public pursuant to this section shall be released as the unofficial tally.

4. A county board of elections may require the chair of the board of inspectors in each election district to report unofficial election night results by telephone, fax or other means. Such results shall include the total aggregate number of votes received by each person voted for, the total aggregate number of write-ins and the number of votes cast for and against each ballot proposal.

5. (a) The board of elections of counties in which voting machines which have portable memory devices are used, may establish written procedures consistent with the provisions of this section and filed with the state board of elections by which such devices may be used to provide the unofficial tally of results required by this section.

(b) Such procedures may include: the installation, at the board of elections or at town or city halls, police stations, sheriff's offices or other public buildings, of machines which record and transmit the totals recorded in such devices to the board of elections or directly to a representative of the press; the delivery of the devices from the polling places to such locations and the removal of such devices, by at least two clerks or other agents of such board of elections of opposite political parties, from the containers or envelopes in which they were sealed at the polling places and the insertion of such devices into such machines.

(c) In the city of New York, unless the board of elections of such city designates two clerks or other agents of opposite political parties for delivery of the devices from the polling places to such locations, police officers or peace officers designated by the police commissioner of such city shall provide such delivery as soon as practicable.

(d) The board of elections shall provide containers, at all such locations other than the offices of such board, into which all such devices shall be placed by the clerks or other agents of such board of elections after they are removed from such machines. Such containers shall be sealed by such clerks or agents who shall also enter on a

certificate which shall be printed on each such container, the total number of such devices placed in such container and the election districts from which such devices came. Such clerks shall also sign such certificate in the places provided.

(e) Such containers shall be delivered to the board of elections by the public officials in whose offices such machines were installed within twenty-four hours after the closing of the polls. In the city of New York, unless the board of elections of such city designates two clerks or other agents of opposite political parties for delivery of such containers to the board of elections, police officers or peace officers designated by the police commissioner of such city shall deliver such containers. The board of elections shall give such officials, police officers, or peace officers a receipt therefor which states therein the date and hour of delivery, the name of the person making the delivery and the name of the person to whom such delivery was made. The board of elections shall keep a duplicate of such receipt on file at the office of such board.

(f) The cost of installing such machines at locations other than the board of elections and the cost of transmitting the results from such machines may be paid by the board of elections or by a representative of the press. If such results are transmitted from a location other than the board of elections directly to a representative of the press, such cost shall be paid by such representative of the press.