IN SENATE--Introduced by Sen

--read twice and ordered printed, and when printed to be committed to the Committee on

--- A. Assembly ---

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the Committee on

*ELECA*

(Enacts provisions relating to voter pre-registration; ballot access; form of ballots; voters' time to register and verification of registration; repealer)

Elect. election reform

AN ACT

to amend the election law, in relation to voter pre-registration (Part A); to amend the election law, in relation to ballot access (Part B); to amend the election law, in relation to candidates; and repealing certain provisions of such law relating thereto (Part C); to amend the election law, in relation to voters' time to register (Part D); and to amend the election law,

IN SENATE

The senators whose names are circled below wish to join me in the sponsorship of this proposal.

--

IN ASSEMBLY

The Members of the Assembly whose names are circled below wish to join me in the multi-sponsorship of this proposal:

---

1) Single House Bill (introduced and printed separately in either or both houses). Uni-Bill (introduced simultaneously in both houses and printed as one bill. Senate and Assembly introduce sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2 signed copies of bill and 4 copies of memorandums in support (single house) or 4 signed copies of bill and 8 copies of memorandums in support (uni-bill).

LSDC 04/09/13
in relation to affidavit ballots (Part E)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:
Section 1. This act enacts into law components of legislation relating to election reform. Each component is wholly contained within a Part identified as Parts A through E. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

VOTER PRE-REGISTRATION

Section 1. Section 5-210 of the election law is amended by adding a new subdivision 4-a to read as follows:

4-a. The board of elections shall allow a person who is at least sixteen years of age and who is otherwise qualified to register to vote to pre-register to vote. Upon a pre-registrant reaching the age of eighteen, the board of elections shall verify the pre-registrant's qualifications and address, and, if verified, automatically register that person to vote.

§ 2. Paragraph (g) of subdivision 5 of section 5-210 of the election law, as amended by chapter 179 of the laws of 2005, is amended to read as follows:

(g) Notice that the applicant must be a citizen of the United States, is or will be at least eighteen years old not later than December thirty-first of the calendar year in which he or she registers to vote, or
is or will be at least sixteen years old when he or she pre-registers to vote, and a resident of the county or city to which application is made.

§ 3. Subparagraph (vi) of paragraph (k) of subdivision 5 of section 5-210 of the election law, as amended by chapter 179 of the laws of 2005, is amended to read as follows:

(vi) A space for the applicant to answer the question "Will you be 18 years of age on or before election day?" and the statement "If you checked "no" in response to this question, do not complete this form unless you [will be 18 by the end of the year] are 16 at the time of this application in which case you may pre-register."

§ 4. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.

PART B

BALLOT ACCESS

Section 1. Subdivisions 1 and 2 of section 6-136 of the election law, subdivision 1 as amended by chapter 200 of the laws of 1996, subdivision 2 as amended by chapter 79 of the laws of 1992, the opening paragraph of subdivision 2 as amended by chapter 659 of the laws of 1994 and paragraph (c-1) of subdivision 2 as amended by chapter 418 of the laws of 1993, are amended to read as follows:

1. Petitions for any office to be filled by the voters of the entire state must be signed by not less than ten thousand or five per centum, whichever is less, of the then enrolled voters of the party in the state (excluding voters in inactive status), of whom not less than one hundred or five per centum, whichever is less, of such enrolled
voters shall reside in each of one-half of the congressional districts of the state.

2. All other petitions must be signed by not less than five per centum, as determined by the preceding enrollment, of the then enrolled voters of the party residing within the political unit in which the office or position is to be voted for (excluding voters in inactive status), provided, however, that for the following public offices the number of signatures need not exceed the following limits:

(a) For any office to be filled by all voters of the city of New York, seven thousand five hundred signatures;

(b) For any office to be filled by all the voters of any county or borough within the city of New York, four thousand signatures;

(c) For any office to be filled in the city of New York by all the voters of any municipal court district, one thousand five hundred signatures;

(c-l) For any office to be filled in the city of New York by all the voters of any city council district, nine hundred signatures;

(d) For any office to be filled by all the voters of cities or counties, except the city of New York and counties therein, containing more than two hundred fifty thousand inhabitants according to the last preceding federal enumeration, two thousand signatures;

(e) For any office to be filled by all the voters of cities or counties containing more than twenty-five thousand and not more than two hundred fifty thousand inhabitants, according to the last preceding federal enumeration, one thousand signatures;

(f) For any office to be filled by all the voters of any other city or county, or of a councilmanic district in any city other than the city of New York, five hundred signatures;
(g) For any office to be filled by all the voters of any congressional district, twelve hundred fifty signatures;

(h) For any office to be filled by all the voters of any state senatorial district, [one thousand] five hundred fifty signatures;

(i) For any office to be filled by all voters of any assembly district, [five hundred] two hundred fifty signatures;

(j) For any office to be filled by all the voters of any political subdivision, except as herein otherwise provided, contained within another political subdivision, not to exceed the number of signatures required for the larger subdivision;

(k) For any other office to be filled by the voters of a political subdivision containing more than one assembly district, county or other political subdivision, not to exceed the aggregate of the signatures required for the subdivisions or parts of subdivisions so contained; and

(l) For any county legislative district, five hundred signatures.

§ 2. Section 6-142 of the election law, as amended by chapter 79 of the laws of 1992 and paragraph (d-l) of subdivision 2 as amended by chapter 418 of the laws of 1993, is amended to read as follows:

§ 6-142. Independent nominations; number of signatures. 1. An independent nominating petition for candidates to be voted for by all the voters of the state must be signed by at least [fifteen] ten thousand voters, of whom at least one hundred shall reside in each of one-half of the congressional districts of the State.

2. An independent nominating petition for the nomination of candidates for an office to be filled by the voters of any other political unit must be signed by voters numbering five per centum of the total number of votes cast for governor at the last gubernatorial election in such unit, excluding blank and void votes, except that not more than three
thousand five hundred signatures shall be required upon any such petition for any office to be filled in any political subdivision of the state wholly outside the city of New York, and not more than the following numbers of signatures shall be required upon any such petition for the following public offices respectively:

(a) for any office to be filled in any county or portion thereof outside the city of New York, one thousand five hundred;

(b) for any office to be filled by all the voters of the city of New York, seven thousand five hundred;

(b-1) for any office to be filled by all the voters of any two counties in such city, four thousand;

(c) for any office to be filled by all the voters of any county or borough in such city, four thousand;

(d) for any office to be filled by all the voters of any municipal court district, three thousand signatures;

(d-1) for any office to be filled in the city of New York by all the voters of any city council district, two thousand seven hundred;

(e) for any office to be filled by all the voters of any congressional district, three thousand five hundred;

(f) for any office to be filled by all the voters of any state senatorial district, [three thousand] one thousand six hundred fifty;

(g) for any office to be filled by all the voters of an assembly district, [one thousand five hundred] seven hundred fifty;

(h) [for the office of trustee of the Long Island Power Authority, five hundred;

(i)] for any office to be filled by the voters of any political subdivision contained within another political subdivision except as herein
otherwise provided, not to exceed the number of signatures required for
the larger subdivision.

§ 3. Section 6-130 of the election law, as amended by chapter 709 of
the laws of 1996, is amended to read as follows:

§ 6-130. Designating petition; signer information. The sheets of a
designating petition must set forth in every instance the name of the
signer, his or her residence address, [town or city (except in the city
of New York, the county)] county, and the date when the signature is
affixed.

§ 4. Subdivision 1 of section 6-132 of the election law, as amended by
chapter 235 of the laws of 2000, is amended to read as follows:

1. Each sheet of a designating petition shall be signed in ink and
shall contain the following information and shall be in substantially
the following form:

I, the undersigned, do hereby state that I am a duly enrolled voter of
the............... party and entitled to vote at the next primary
election of such party, to be held on............... , 20...; that my
place of residence is truly stated opposite my signature hereto, and I
do hereby designate the following named person (or persons) as a can-
date (or candidates) for the nomination of such party for public office
or for election to a party position of such party.

<table>
<thead>
<tr>
<th>Names of candidates</th>
<th>Public Office</th>
<th>Place of Residence</th>
</tr>
</thead>
<tbody>
<tr>
<td>...................</td>
<td>................</td>
<td>(also post office address, if not identical)</td>
</tr>
<tr>
<td>...................</td>
<td>................</td>
<td>.....................</td>
</tr>
<tr>
<td>...................</td>
<td>................</td>
<td>.....................</td>
</tr>
</tbody>
</table>

I do hereby appoint ......................... (insert the names
and addresses of at least three persons, all of whom shall be enrolled
1 voters of said party) as a committee to fill vacancies in accordance
2 with the provisions of the election law.
3 In witness whereof, I have hereunto set my hand, the day and year
4 placed opposite my signature.
5
6 Date Name of Signer Residence
7 ............. .............. .................................
8 ............. .............. .................................
9 [Town or city (except
10 in the city of New
11 York, the county)] County
12 ........................
13 ........................
14
15 § 5. Paragraph a of subdivision 1 of section 6-140 of the election
16 law, as amended by chapter 235 of the laws of 2000, is amended to read
17 as follows:
18 a. Each sheet of an independent nominating petition shall be signed in
19 ink, shall contain the following information and shall be in substan-
20 tially the following form:
21 I, the undersigned, do hereby state that I am a registered voter of
22 the political unit for which a nomination for public office is hereby
23 being made, that my present place of residence is truly stated opposite
24 my signature hereto, and that I do hereby nominate the following named
25 person (or persons) as a candidate (or as candidates) for election to
26 public office (or public offices) to be voted for at the election to be
27 held on the ............. day of ............., 20....., and that I
28 select the name ......................... (fill in name) as the name
29 of the independent body making the nomination (or nominations) and
30 ................. (fill in emblem) as the emblem of such body.
Place of residence
(also post office address)

Name of Public Office if not identical)


I do hereby appoint ......................... (here insert the names and addresses of at least three persons, all of whom shall be registered voters within such political unit), as a committee to fill vacancies in accordance with the provisions of the election law.

In witness whereof, I have hereunto set my hand, the day and year placed opposite my signature.

Date Name of Signer Residence


[Town or city (except in the city of New York, the county)] County


§ 6. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.

PART C

BALLOT SIMPLIFICATION ACT
Section 1. This act shall be known and may be cited as the "Ballot Simplification Act of 2013."

§ 2. Section 7-104 of the election law, as amended by chapter 165 of the laws of 2010, is amended to read as follows:

§ 7-104. Ballots; form of, voting machine. 1. All ballots shall be printed and/or displayed in a format and arrangement, of such uniform size and style as will fit the ballot frame, and shall be in as plain and clear a type or display as the space will reasonably permit, using only sans serif print fonts. Such type or display on the ballot shall satisfy all requirements and standards set forth pursuant to the federal Help America Vote Act.

2. The names of parties or independent bodies which contain more than fifteen letters may, whenever limitations of space so require, be printed on the ballot in an abbreviated form. In printing the names of candidates whose full names contain more than fifteen letters, only the surname must be printed in full. The officer or board charged with the duty of preparing the ballots shall request each such candidate to indicate, in writing, the shortened form in which, subject to this restriction, his or her name shall be printed. If no such indication is received from such candidate within the time specified in the request, such officer or board shall make the necessary determination.

3. (a) The party name or other designation[, and a designating letter and number] shall be affixed to the name of each candidate, or, in case of presidential electors, to the names of the candidates for president and vice-president of such party.

(b) The titles of offices may be arranged horizontally, with the names of candidates for an office and the slot or device for write-in ballots for such office arranged vertically under the title of the office, or
the titles of offices may be arranged vertically, with the names of
candidates for an office and the slot or device for write-in ballots for
such office arranged horizontally opposite the title of the office.
(c) Each office shall occupy as many columns or rows on the [machine]
official ballot as the number of candidates to be elected to that
office.
(d) At the bottom of the row or rows or end of the column or columns
in which the names of candidates appear, shall be printed as many blank
spaces for writing in the names of persons for whom the voter desires to
vote, as there are persons to be nominated or elected.
4. (a) The names of all candidates nominated by any party or independ-
ent body for an office shall always appear in the row or column contain-
ing generally the names of candidates nominated by such party or inde-
pendent body for other offices except as hereinafter provided.
(b) When the same person has been nominated for an office to be filled
at the election by more than one party, the voting machine shall be so
adjusted that his or her name shall appear in each row or column
containing generally the names of candidates for other offices nominated
by any such party.
(c) If such candidate has also been nominated by one or more independ-
ent bodies, his or her name shall appear only in each row or column
containing generally the names of candidates for other offices nominated
by any such party and the name of each such independent body shall
appear in one such row or column to be designated by the candidate in a
writing filed with the officer or board charged with the duty of provid-
ing ballots, or if such person shall fail to so designate, the names of
such independent bodies shall appear in such row or column as such offi-
cer or board shall determine.
(d) If any person shall be nominated for any office by one party and two or more independent bodies his or her name shall appear on the voting machine twice; once in the row or column containing generally the names of candidates for other offices nominated by such party, and once in the row or column containing generally the names of candidates nominated by the independent body designated by such person in a writing filed with the officer or board charged with the duty of providing ballots and in connection with the name of such person in such row or column shall appear the name of each independent body nominating him or her or, if such person shall fail to so designate, the name of such candidate and the names of such independent bodies shall appear in such row or column as such officer or board shall determine.

(e) If any person is nominated for any office only by more than one independent bodies, his or her name shall appear but once upon the machine in one such row or column to be designated by the candidate in a writing filed with the officer or board charged with the duty of providing ballots, or if the candidate shall fail to so designate, in the place designated by the officer or board charged with the duty of providing ballots, and in connection with his or her name there shall appear the name of each independent body nominating him or her, but, where the capacity of the machine will permit, the name of such person shall not appear or be placed in a column or on a horizontal line with the names of persons nominated by a party for other offices.

5. Notwithstanding the provisions of subdivision four of this section, the name of a person who is nominated for the office of governor, or state senator, or member of assembly, shall appear on the ballot as many times as there are parties or independent bodies nominating him or her,
and there shall be a separate voting and registering device at each
place in which such name shall appear.

6. If any type of machine used in any county or city contains any
feature, the use of which is neither required nor prohibited by the
provisions of this chapter, the board of elections may, by resolution,
require that one or more of such features shall be used in such county.
Thereafter all machines of such type used in such county or city shall
be operated in conformity with any such resolution. Any such resolution
may thereafter be rescinded by such board and after being so rescinded
may be re-adopted. Once re-adopted by any board of elections, such a
resolution may not be rescinded again by such board.

7. The ballot shall have printed upon it in black ink for each party
or independent row, at the head of the column or the beginning of the
row containing the names of candidates, [the image of a closed fist with
index finger extended pointing to the party or independent row. In the
same space, in black letters as large as the space will permit, shall be
printed] the name of the party or independent body [and at the right of
the fist and below the index finger shall be printed in black ink the
emblem], and the designating [letters] letter of the row or column.

8. With respect to candidates for the offices of governor and lieuten-
ant governor of a party or independent body, ballots shall be printed so
that the names of such candidates for both offices shall appear in the
same row or column, with the name of the candidate for governor appear-
ing first and the ballot shall be so adjusted that both offices are
voted for jointly [and have but one designating letter or number].

9. In those counties in which ballots are required by federal law to
be provided in a language other than English, there shall be versions of
the ballot printed in English and in each of the additional languages
required so that each version of the ballot shall contain English and only one other language. The county board of elections in such counties shall include in their poll worker training instruction concerning the procedures to be followed to ensure that each voter receives a ballot with the appropriate language as determined by the board.

§ 3. Section 7-106 of the election law, the section heading and subdivisions 1, 3, 4, 5, 6 and 7 as amended and subdivisions 8, 9, 10 and 11 as renumbered by chapter 165 of the laws of 2010, is amended to read as follows:

§ 7-106. [Election day paper ballots; form of] Ballots; form of, for ballot scanners; general, primary, or special elections. 1. Paper ballots which are to be counted by a ballot scanner may consist of two or more sheets which are divided into perforated sections which can be separated at the time the ballot is scanned. Such ballots shall be printed on paper of a quality, size, color, and weight approved by the state board of elections, and shall be clearly distinguishable from sample ballots by size, color, or other means.

2. [All paper ballots of the same kind for the same polling place shall be identical. A different, but in each case uniform style and size of type, shall be used for printing the names of candidates, the titles of offices, political designations, and the reading form of all questions submitted. The names of candidates shall be printed in capital letters in black-faced type.] Before each statewide election, the state board of elections shall publish and distribute to the county boards of elections a sample master template of that portion of the ballot which relates to statewide offices and shall indicate, where practicable, the placement of contests for other offices to ensure standardization across jurisdictions. The county boards of elections shall use and follow such
3. All type shall be sans serif. Names of candidates, titles of offices, political designations, and ballot questions shall be in a uniform style and size of type using standard capitalization.

4. Each ballot shall be printed on the sheet with a stub which shall be separated therefrom by a line of perforations extending across the entire ballot. On the face of the stub shall be printed "No. ..." the blank to be filled with consecutive number of ballots beginning with "No. 1", and increasing in regular numerical order.

[4.] 5. On such ballot shall be printed the following indorsement, the blanks properly filled in:

Official Ballot for (General, Primary or Special, as applicable)
Election
County of .................
(Assembly or Legislative, as applicable) District .................
(Ward and City or town ................., as applicable) .................
Election District .................

(Insert date of election.)
(Insert names of election commissioners providing the ballot.)

[5. The following ballot instructions shall be printed in heavy black type:
INSTRUCTIONS

(1) Mark only with a writing instrument provided by the board of elections.

(2) To vote for a candidate whose name is printed on this ballot fill in the (insert oval or square, as applicable) above or next to the name of the candidate.

(3) To vote for a person whose name is not printed on this ballot write or stamp his or her name in the space labeled "write-in" that appears (insert at the bottom of the column, the end of the row or at the bottom of the candidate names, as applicable) for such office (and, if required by the voting system in use at such election, the instructions shall also include "and fill in the (insert oval or square, as applicable) corresponding with the write-in space in which you have written in a name").

(4) To vote yes or no on a proposal, if any, that appears on the (indicate where on the ballot the proposal may appear) fill in the (insert oval or square, as applicable) that corresponds to your vote.

(5) Any other mark or writing, or any erasure made on this ballot outside the voting squares or blank spaces provided for voting will void this entire ballot.

(6) Do not overvote. If you select a greater number of candidates than there are vacancies to be filled, your ballot will be void for that public office, party position or proposal.

(7) If you tear, or deface, or wrongly mark this ballot, return it and obtain another. Do not attempt to correct mistakes on the ballot by making erasures or cross outs. Erasures or cross outs may invalidate all or part of your ballot. Prior to submitting your ballot, if you make a mistake in completing the ballot or wish to change your ballot choices,
you may obtain and complete a new ballot. You have a right to a replace-
ment ballot upon return of the original ballot.

(8) After completing your ballot, insert it into the ballot scanner
and wait for the notice that your ballot has been successfully scanned.
If no such notice appears, seek the assistance of an election inspector.

6. The instructions in subdivision five of this section may be printed
on the front or back of the ballot or on a separate sheet or card. If
such instructions are not printed on the front of the ballot, there
shall be printed on the ballot, in the largest size type for which there
is room, the following legend: "See instructions on the other side" or
"See enclosed instructions", whichever is appropriate.

7. Each such ballot shall be printed in sections in which the candi-
dates' names and political designations, the ballot proposals and other
requisite matter shall each be boxed in by heavy black perpendicular
lines of equal width. In each such section shall be voting ovals or
squares which voters may fill in. If applicable, ovals or squares shall
be provided next to the blank spaces provided for a voter to write in a
name.

8. The space for the title of an office shall be three-eighths of an
inch, and the name of a candidate or for writing in a name, one-fourth
of an inch, in depth. At the left of the name of each designated candi-
date shall be an enclosed voting space, three-eighths of an inch in
width and approximately one-fourth of an inch in depth, bounded above,
below and to the right by black lines, heavier than those which separate
the spaces containing the names of candidates. To the left of voting
spaces which do not adjoin a vertical line dividing two parts, there
shall be a heavy black vertical line approximately one-eighth of an inch
in width. No voting space shall be provided in the space for writing in
names. In such case, the space corresponding to a voting space shall be all black.

9. Below the names of the candidates for each office or position there shall be printed as many blank spaces, for writing in names of persons for whom the voter desires to vote, as there are persons to be nominated or elected.

10. In case the sections shall be so numerous as to make the ballot unwieldy if they are printed in one column, they may be printed in as many columns as shall be necessary, and in that case, in order to produce a rectangular ballot, blank sections may be used.

11.] 6. Each ballot shall contain instructions for marking the ballot except where the county board of elections determines after consultation with the state board of elections that placing the instructions on a separate sheet would better improve the usability of the ballot for voters, including but not limited to avoiding the use of multiple columns for a single office or the use of a second page or larger ballot size. In the event a county board of elections determines that the instructions should not be printed on the front of the ballot, there shall be printed in the upper left hand corner of the ballot an illustration of the ballot being marked, as well as the following text, "Before voting, please read the instructions on the other side," or "Before voting, please read the instructions on a separate sheet in the privacy sleeve and voting both," whichever is appropriate. To the extent practicable, the instructions shall be printed in line lengths no wider than five inches. The text shall be substantially as follows, so that it accurately reflects the ballot layout:

INSTRUCTIONS
Mark the (insert "oval" or "square") to the left of the name of your choice. (Provide illustration here.) To vote for a candidate whose name is not printed on the ballot, (insert "mark the oval (or square) to the left of 'write-in' and print the name clearly" or "print the name clearly in the box labeled 'write-in'"), staying within the box. Do not make a mark outside the spaces provided for voting. If you do, your ballot may not count. The number of choices is listed for each contest. Do not mark the ballot for more candidates than allowed for each contest. If you do, your vote in that contest will not count. If you make a mistake, or want to change your vote, ask a poll worker for a new ballot.

7. The state board of elections shall provide line drawing illustrations to supplement these instructions. At a minimum, an illustration of the correct way to mark the ballot shall be provided, but nothing in this section shall be construed to limit the board in providing additional illustrations.

8. When a question or proposal is included on the ballot, instructions substantially like the following shall be included on the ballot near the first question or proposal:

Instructions for Voting for Questions and Proposals

To vote on a question or proposal, mark the (insert "oval" or "square") to the left of your choice. If you make a mistake, or want to change your vote, ask a poll worker for a new ballot.

9. When a question or proposal appears on the back of the ballot, there shall appear on the front of the ballot text in at least twelve point font, if practicable, and a clear symbol, indicating that the voter should turn over the ballot.

10. The voting oval or square shall be to the left of the name of the candidate.
ll. The ballot shall also comply with the following specifications:
   a. If the instructions in subdivision six of this section are printed on the ballot, such instructions shall be printed in the upper left hand corner of the front of the ballot;
   b. All text, including the title of each office and the name of each candidate, shall be printed flush left and shall not be centered on the ballot or in any column or row appearing on the ballot;
   c. All text, including the name of each candidate as provided in subdivision three of this section, shall be printed using standard capitalization in accordance with instructions provided by the state board of elections and shall not be printed using all capital letters;
   d. To the extent practicable, the name of each candidate shall be printed using a font size of not less than nine points except that the county board of elections shall consider the impact of font size on the use of multiple columns for a single office and the use of a second page;
   e. The ballot shall have a clear delineation between the ballot instructions and the first office or ballot question or proposal through the use of white space, line, illustration, shading, color, symbol, font size, or bold type;
   f. Shading shall be used consistently, so as to differentiate instructions from ballot section dividers and contest information;
   g. "Vote for one" or "Vote for up to ......" (the blank space to be filled with the number of persons to be nominated for the office or elected to the position), as applicable, shall be printed immediately below each office title appearing on the ballot;
   h. Above, below, or to the right of the name of each candidate, shall be printed, in less prominent type face than that in which the candi-
date's name is printed, the name of the political party or independent body by which the candidate was nominated or designated;

i. The names of candidates for the same office shall not be separated by a perforation.

12. The names of parties or independent bodies which contain more than fifteen letters may, whenever limitations of space so require, be printed on the ballot in an abbreviated form. In printing the names of candidates whose full names contain more than fifteen letters, only the surname must be printed in full. The officer or board charged with the duty of preparing the ballots shall request each such candidate to indicate, in writing, the shortened form in which, subject to this restriction, his or her name shall be printed. If no such indication is received from such candidate within the time specified in the request, such officer or board shall make the necessary determination. [No emblem shall occupy a space longer in any direction than the voting square to which it relates.]

§ 4. The section heading of section 7-108 of the election law is amended to read as follows:

Ballots; form for general elections; additional requirements.

§ 5. Subdivision 3 of section 7-108 of the election law is REPEALED.

§ 6. Section 7-110 of the election law, as amended by chapter 647 of the laws of 1982, is amended to read as follows:

§ 7-110. Ballots; form for ballot proposals; additional requirements.

Ballot proposals shall appear on the [voting machine or] ballot in a separate section. At the left of, or below or above, each proposal shall appear [two voting levers or] two voting [squares, each at least one-half inch square] positions. Next to the first [lever or square] voting position shall be printed the word "Yes," and next to the second [lever
or square] voting position shall be printed the word "No." The proposals shall be numbered consecutively on the voting machine or ballot. The number of each proposal shall appear in front of its designation as an amendment, proposition or question in the following form: "Proposal one, an amendment; proposal two, a proposition; proposal three, a question".

§ 7. Subdivision 1 and paragraphs (b) and (g) of subdivision 2 of section 7-114 of the election law, as amended by chapter 234 of the laws of 1976, paragraph (c) of subdivision 1 as amended by chapter 433 of the laws of 1984, are amended to read as follows:

1. (a) The face of the official ballot for a primary election shall conform to the requirements in section 7-106 of this title except to the extent that a provision of this section is inconsistent with that section.

(b) The face of the official ballot for a primary election shall be divided into parts. Descriptive words to indicate the purpose of each part shall be printed at its head. Beginning at the left or top, the first part shall be entitled, and shall be for "Candidates for nomination for public office". The second part shall be entitled, and shall be for "Candidates for party positions." When necessary, a part may be divided into two or more columns or rows, but the names of all persons designated for the same office or party position shall be in the same column or row.

[(b)] (c) In each part shall be printed the titles of the offices or party positions, as the case may be, for which the part is to be used, and under each such title shall be printed the names of the designated candidates for the office or position.
[(c)] (d) Where a candidate for nomination for the same public office
or for election to the same party position is designated by two or more
petitions, his name shall be placed upon the ballot for the primary
election but once as such a candidate.

[(d)] (e) The ballot shall not contain a space for voting for candi-
dates for uncontested offices and positions, and no ballot shall be
printed for a party whose primary is uncontested unless a petition for
opportunity to ballot has been filed.

(b) On the back of the paper ballot, on the stub, immediately below
the number, shall be the name of the party. On the back of the ballot
and below the stub, and immediately to the left of the center of the
ballot, and on the front of the ballot, below the perforated line, shall
be printed, in addition to the other information required for paper
ballots, the name [and emblem] of the party and the words "Official
primary ballot."

(g) Spaces containing names of candidates and for writing in names,
and intervening spaces on the paper ballot, shall be separated by light
horizontal lines. [Names of candidates shall be printed in capital
letters not less than one-eighth nor more than three-sixteenths of an
inch in height.]

§ 8. Section 7-122 of the election law, subdivision 1 as amended by
chapter 234 of the laws of 1976, the schedule in paragraph (b) of subdi-
vision 1 as added by chapter 381 of the laws of 1979, paragraphs (c) and
(d) of subdivision 1 and subdivisions 2, 3, 5, 8, 9 and 10 as amended by
chapter 165 of the laws of 2010, subdivisions 6 and 7 as renumbered by
chapter 352 of the laws of 1986 and subdivision 7 as amended by chapter
9 of the laws of 1978, is amended to read as follows:
§ 7-122. Ballots; absentee voters. 1. (a) Ballots for absentee voters shall be, as nearly as practicable, in the same form as those to be voted in the district on election day, if any, except that ballots for primary elections shall omit the party position of ward, town, city or county committee and except further that such ballots need not have a stub, and shall have the words "Absentee Ballot", endorsed thereon.

(b) [The names of candidates upon the ballot shall be printed in appropriate sections, with titles of offices, section numbers, emblems, voting squares, names of parties and political organizations and blank spaces for writing in names of persons not printed on the ballot. Except as to the spacing, such ballot shall be printed wherever applicable substantially as follows:

(Form in chap. 381/79)

(c) The indorsement shall be printed and properly filled in:

Official Absentee Ballot for (General, Primary or Special, as applicable)

Election

County of

(Assembly or Legislative, as applicable) District

(Ward and City or town, as applicable)

(Insert date of election)

(Insert names of election commissioners providing the ballot)

(d) On the front of the ballot prepared for counting by hand, [shall be printed in heavy black type the following instructions] the instructions for marking the ballot shall be substantially as follows, so that it accurately reflects the ballot layout:

INSTRUCTIONS
1. Mark in pen or pencil.

2. To vote for a candidate whose name is printed on this ballot, make a single cross X mark or a single check, √ mark in the voting square above the name of the candidate.

3. To vote for a person whose name is not printed on this ballot write or stamp his or her name in the space that appears at the bottom of the column or the end of the row (indicate where on the ballot the write-in space appears) containing the title of the office.

4. To vote on a proposal make a cross X mark or a check √ mark in one of the squares contained in the box setting forth such proposal.

5. Any other mark or writing, or any erasure made on this ballot outside the voting squares or blank spaces provided for voting will void this entire ballot.

6. Do not overvote. If you select a greater number of candidates than there are vacancies to be filled, your ballot will be void for that public office, party position or proposal.

7. If you tear, or deface, or wrongly mark this ballot, call the board of elections at (insert phone number here) for instructions on how to obtain a new ballot. Do not attempt to correct mistakes on the ballot by making erasures or cross outs. Erasures or cross outs may invalidate all or part of your ballot. Prior to submitting your ballot, if you make a mistake in completing the ballot or wish to change your ballot choices, you may obtain and complete a new ballot. You have a right to a replacement ballot upon return of the original ballot.] Mark the (insert "oval" or "square") to the left of the name of your choice. (Provide illustration here.) To vote for a candidate whose name is not printed on the ballot, (insert "mark the oval (or square) to the left of 'write-in' and print the name clearly" or "print the name clearly in the box labeled
'write-in"), staying within the box. Do not make any mark outside the
spaces provided for voting. If you do, your ballot may not count. If
you make a mistake or want to change your vote, call the board of
elections at (insert phone number here) for instructions on how to
obtain a new ballot. You have a right to a replacement ballot upon
return of the original ballot. The number of choices is listed for each
contest. Do not mark the ballot for more candidates than allowed for
each contest. If you do, your vote in that contest will not count.

(c) When a question or proposal is included on the ballot,
instructions substantially similar to those provided in subdivision six
of section 7-106 and section 7-110 of this article shall be included.

(d) The ballot proposals may be on the back of the ballot, or on a
separate ballot.

2. [The following provisions shall apply to all absentee ballots
prepared for counting by a ballot scanner and all other] All provisions
of this chapter not inconsistent with this subdivision shall be applica-
table to [such] absentee ballots prepared for counting by ballot scanner[:

(a) The party emblem need not be printed next to the name of each
candidate.

(b) The ballot proposals may be on the back of the ballot, or on a
separate ballot.

(c) The printed instructions to the voter shall read as follows:

INSTRUCTIONS

1. Mark only with a pen or pencil.

2. To vote for a candidate whose name is printed on this ballot, fill
in the (insert oval or square, as applicable) above or next to the name
of the candidate.
3. To vote for a person whose name is not printed on this ballot, write or stamp his or her name in the space labeled "write-in" that appears (insert at the bottom of the column or the end of the row, as applicable) containing the title of the office and, if required by the voting system in use at such election, the instructions shall also include "and fill in the (insert oval or square, as applicable) corresponding with the write-in space in which the voter has written a name."

4. To vote yes or no on a proposal, if any, that appears on the (indicate where on the ballot the proposal may appear) fill in the (insert oval or square, as applicable) that corresponds to your vote.

5. Any other mark or writing, or any erasure made on this ballot outside the voting squares or blank spaces provided for voting will void this entire ballot.

6. Do not overvote. If you select a greater number of candidates than there are vacancies to be filled, your ballot will be void for that public office, party position or proposal.

7. If you tear, or deface, or wrongly mark this ballot, call the board of elections at (insert phone number here) for instructions on how to obtain a new ballot. Do not attempt to correct mistakes on the ballot by making erasures or cross outs. Erasures or cross outs may invalidate all or part of your ballot. Prior to submitting your ballot, if you make a mistake in completing the ballot or wish to change your ballot choices, you may obtain and complete a new ballot. You have a right to a replacement ballot upon return of the original ballot.

(d) Such instructions may be printed on the front or back of the ballot or on a separate sheet or card. If such instructions are not printed on the front of the ballot, there shall be printed on the ballot, in the largest size type for which there is room, the following
legend: "See instructions on other side" or "See enclosed instructions", whichever is appropriate.

(e) Such ballots which are to be counted by a ballot scanner may consist of two or more sheets, which are divided into perforated sections which can be separated at the time of canvassing).

3. The determination of the appropriate county board of elections as to the candidates duly designated or nominated for public office or party position whose name shall appear on the absentee ballot and as to ballot proposals to be voted on shall be made no later than the day after the state board of elections issues its certification of those candidates to be voted for at the general, special or primary election. The determinations of the state board of elections and the respective county boards of elections shall be final and conclusive with respect to such offices for which petitions or certificates are required to be filed with such boards, as the case may be but nothing herein contained shall prevent a board of elections, or a court of competent jurisdiction from determining at a later date that any such certification, designation or nomination is invalid and, in the event of such later determination, no vote cast for any such nominee by any voter shall be counted at the election.

[5.] 4. The board of elections shall furnish with each absentee ballot an inner affirmation envelope. On one side of the envelope shall be printed:

OFFICIAL ABSENTEE BALLOT

for

GENERAL (OR PRIMARY OR SPECIAL) ELECTION,
11 [6.] 5. The date of the election, name of the county, and name of a
city, if there be a separate ballot for city voters, shall be printed,
and the name of the voter, residence, number of the assembly district,
if any, name of town, number of ward, if any, election district and
party enrollment, if required, shall be either printed or written or
stamped in by the board.

17 [7.] 6. There shall also be a place for two board of elections staff
members or inspectors of opposite political parties to indicate, by
placing their initials thereon, that they have checked and marked the
voter's poll record.

21 [8.] 7. On the reverse side of such inner affirmation envelope shall
be printed the following statement:

    AFFIRMATION

24 I do declare that I am a citizen of the United States, that I am duly
25 registered in the election district shown on the reverse side of this
26 envelope and I am qualified to vote in such district; that I will be
27 unable to appear personally on the day of the election for which this
ballot is voted at the polling place of the election district in which I
am a qualified voter because of the reason given on my application here-
tofore submitted; that I have not qualified nor do I intend to vote
elsewhere, that I have not committed any act nor am I under any imped-
iment which denies me the right to vote.
I hereby declare that the foregoing is a true statement to the best of
my knowledge and belief, and I understand that if I make any material
false statement in the foregoing statement of absentee voter, I shall be
guilty of a misdemeanor.

Date................20....  ........................................
Signature or mark of voter

 ......................................................
Signature of Witness (required only
if voter does not sign his or her own
name)

 ......................................................
Address of Witness

[9.] B. The inner affirmation envelope shall be gummed, ready for
sealing, and shall have printed thereon, on the side opposite the state-
moment, instructions as to the duties of the voter after the marking of
the ballot, which instructions shall include a specific direction stat-
ing when such ballot must be postmarked and when such ballot must reach
the office of the board of elections in order to be canvassed.
9. Each ballot envelope shall be enclosed in an outer envelope addressed to the appropriate board of elections and bearing on it a specific direction that if an original application for an absentee ballot is received with the ballot, such application must be completed by the voter and returned in the outer envelope together with the sealed inner affirmation envelope containing the absentee ballot within the time limits for receipt of the absentee ballot itself. Such inner affirmation envelope and outer envelope shall be enclosed in [a] the third envelope addressed to the absentee voter. The outer and third envelopes shall have printed on the face thereof the words "Election Material—Please Expedite".

§ 9. Section 7-130 of the election law is amended to read as follows:

§ 7-130. Ballots; examination by voters and instruction in use of voting machines. One or more voting machines which shall contain the ballot labels, showing the party [emblems] names and title of officers to be voted for, and which shall so far as practicable contain the names of the candidates to be voted for, shall be placed on public exhibition in some suitable place by the board of elections, [in charge of competent instructors,] for at least three days during the thirty days next preceding an election. No voting machine which is to be assigned for use in an election shall be used for such purpose after having been prepared and sealed for the election. During such public exhibition, the counting mechanism of the machine shall be concealed from view and the doors, if any, may be temporarily opened only when authorized by the board or official having charge and control of the election. Any voter shall be allowed to examine such machine, and upon request shall be instructed in its use.
§ 10. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.

PART D

EXPANDING VOTERS' TIME TO REGISTER

Section 1. Paragraph (b) of subdivision 5 of section 5-210 of the election law, as amended by chapter 179 of the laws of 2005, is amended to read as follows:

(b) Instructions on how to fill out and submit the form and that the form must be received by any county board of elections at least [twenty-five] ten days prior to the election at which the applicant may vote.

§ 2. Subdivision 7 of section 5-212 of the election law, as added by chapter 659 of the laws of 1994, is amended to read as follows:

7. Completed application forms received by the department of motor vehicles not later than the [twenty-fifth] fifteenth day before the next ensuing primary, general or special election and transmitted by such department to the appropriate board of elections so that they are received not later than the [twentieth] tenth day before such election shall entitle the applicant to vote in such election provided the board determines that the applicant is otherwise qualified.

§ 3. Subdivision 4 of section 5-302 of the election law, as amended by chapter 91 of the laws of 1992, is amended to read as follows:

4. Registration poll records of voters whose registrations are not rejected by the board of elections shall forthwith be placed in the poll ledger or such voters' names shall forthwith be entered in the computer files from which the computer generated registration lists are prepared, except that the registration poll record of an otherwise qualified voter
who registers after the [twenty-fifth] tenth day before a primary election shall not be placed in such poll ledger or such voters' names shall not appear on such a computer generated registration list until after such primary and except further that the registration poll record of a voter whose previous registration was cancelled pursuant to the provisions of this chapter after the previous general election and who registers pursuant to the provisions of this chapter after such cancellation shall not be placed in such poll ledger or such voters' names shall not appear on such a computer generated registration list until after the fall primary election, unless such voter has enrolled with the same party as the enrollment on the registration which was so cancelled.

§ 4. Subdivision 3 of section 5-304 of the election law, as amended by chapter 90 of the laws of 1991, is amended to read as follows:

3. A change of enrollment received by the board of elections not later than the [twenty-fifth] tenth day before the general election shall be deposited in a sealed enrollment box, which shall not be opened until the first Tuesday following such general election. Such change of enrollment shall be then removed and entered as provided in this article.

§ 5. Subdivision 3 of section 5-306 of the election law, as amended by chapter 90 of the laws of 1991, is amended to read as follows:

3. A voter may correct his enrollment pursuant hereto on any of the days the board is open for registration. A correction made during the [twenty-five-day] ten-day period preceding a primary election shall not be effective for such election.

§ 6. Subdivision 5 of section 10-106 of the election law, as amended by chapter 290 of the laws of 1991, is amended to read as follows:
5. The state board of elections shall forward to the appropriate board of elections all applications for military ballots received by it. An application from a military voter not previously registered must be received by the appropriate board of elections not later than ten days before a general or special election or [twenty-five days before a] primary election in order to entitle the applicant to vote at such election. An application from a military voter who is already registered must be received at least seven days before an election in order to entitle the applicant to vote at such election; except that an application from such a military voter who delivers his application to the board of elections in person, must be received not later than the day before the election.

§ 7. Subdivision 2 of section 11-200 of the election law, as amended by chapter 473 of the laws of 1992, is amended to read as follows:

2. Every person registered pursuant to this title shall continue to be eligible to vote in all elections in which special federal voters are eligible to vote except that in order to vote at a primary election of a party, a voter registered pursuant to this title must have been so registered and enrolled in such party before the previous general election; or, if such voter was not registered in New York state for the previous general election, such voter must so register and enroll in such party not later than [twenty-five] ten days before such primary; or, if such voter was registered in New York state for the last general election, such voter must have had the same party enrollment with such registration as such voter sets forth on his application for registration and enrollment as a special federal voter.
§ 8. Paragraph a of subdivision 1 of section 11-202 of the election law, as amended by chapter 262 of the laws of 2003, is amended to read as follows:

a. A person, who, pursuant to this title, is qualified to vote as a special federal voter may, by application received by the state board of elections or any local board of elections on or before the [twenty-fifth] tenth day next preceding any election in which such person would be entitled to vote or the last day of local registration for such election, whichever is later, apply to the board of elections of the county in which he resided in person or by personal application by mail for registration and enrollment as a special federal voter. An application for registration and enrollment pursuant to this article shall be treated as an application for a special federal ballot for every election in which the applicant would be eligible to vote which is held through and including the next two regularly scheduled general elections held in even numbered years, including any run-offs which may occur.

§ 9. This act shall take effect immediately.

PART E

AFFIDAVIT BALLOT

Section 1. Paragraph (e) of subdivision 3 of section 8-302 of the election law, as amended by chapter 200 of the laws of 1996, the opening paragraph as amended by chapter 125 of the laws of 2011 and subparagraph (ii) as amended by chapter 164 of the laws of 2010, is amended to read as follows:

(e) Whenever a voter presents himself or herself and offers to cast a ballot, and he or she claims to live in the [election district] county
in which he or she seeks to vote but no registration poll record can be found for him or her in the poll ledger or his or her name does not appear on the computer generated registration list or his or her signature does not appear next to his or her name on such computer generated registration list or his or her registration poll record or the computer generated registration list does not show him or her to be enrolled in the party in which he or she claims to be enrolled, a poll clerk or election inspector shall consult a map, street finder or other description of all of the polling places and election districts within the [political subdivision in which said election district is located] county and if necessary, contact the board of elections to obtain the relevant information and advise the voter of the correct polling place and election district for the residence address provided by the voter to such poll clerk or election inspector. Thereafter, such voter shall be permitted to vote in said election district only as hereinafter provided:

(i) He may present a court order requiring that he be permitted to vote. At a primary election, such a court order must specify the party in which the voter is permitted to vote. He shall be required to sign his full name on top of the first page of such order, together with his registration serial number, if any, and his name and the other entries required shall then be entered without delay in the fourth section of the challenge report or in the place provided at the end of the computer generated registration list, or, if such person's name appears on the computer generated registration list, the board of elections may provide a place to make such entry next to his name on such list. The voter shall then be permitted to vote in the manner otherwise prescribed for
voters whose registration poll records are found in the ledger or whose
names are found on the computer generated registration list; or
(ii) He or she may swear to and subscribe an affidavit stating that he
or she has duly registered to vote, the address in such [election
district] county from which he or she registered, that he or she remains
a duly qualified voter in such [election district] county, that his or
her registration poll record appears to be lost or misplaced or that his
or her name and/or his or her signature was omitted from the computer
generated registration list or that he or she has moved within the coun-
ty or city since he or she last registered, the address from which he or
she was previously registered and the address at which he or she
currently resides, and at a primary election, the party in which he or
she is enrolled. The inspectors of election shall offer such an affida-
vit to each such voter whose residence address is in such [election
district] county. Each such affidavit shall be in a form prescribed by
the state board of elections, shall be printed on an envelope of the
size and quality used for an absentee ballot envelope, and shall contain
an acknowledgment that the affiant understands that any false statement
made therein is perjury punishable according to law. Such form
prescribed by the state board of elections shall request information
required to register such voter should the county board determine that
such voter is not registered and shall constitute an application to
register to vote. The voter's name and the entries required shall then
be entered without delay and without further inquiry in the fourth
section of the challenge report or in the place provided at the end of
the computer generated registration list, with the notation that the
voter has executed the affidavit hereinabove prescribed, or, if such
person's name appears on the computer generated registration list, the
board of elections may provide a place to make such entry next to his or her name on such list. The voter shall then, without further inquiry, be permitted to vote an affidavit ballot provided for by this chapter. Such ballot shall thereupon be placed in the envelope containing his or her affidavit, and the envelope sealed and returned to the board of elections in the manner provided by this chapter for protested official ballots, including a statement of the number of such ballots.

§ 2. Subdivision 3-a of section 8-302 of the election law, as amended by chapter 511 of the laws of 1985, is amended to read as follows:

3-a. The inspectors shall also give to every person whose address is in such [election district] county for whom no registration poll record can be found and, in a primary election, to every voter whose registration poll record does not show him to be enrolled in the party in which he wishes to be enrolled a copy of a notice, in a form prescribed by the state board of elections, advising such person of his right to, and of the procedures by which he may, cast an affidavit ballot or seek a court order permitting him to vote, and shall also give every such person who does not cast an affidavit ballot, an application for registration by mail.

§ 3. Subparagraph (iii) of paragraph (a) of subdivision 2 of section 9-209 of the election law, as amended by chapter 308 of the laws of 2011, is amended to read as follows:

(iii) If the board of elections determines that a person was entitled to vote at such election, the board shall cast and canvass such ballot [if such board finds that the voter appeared at the correct polling place], regardless of the fact that the voter may have appeared in the incorrect election district, provided that such vote shall not be cast
and canvassed for such contests for which the person was not entitled to
vote at such election.

§ 4. This act shall take effect immediately.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivi-
sion, section or part of this act shall be adjudged by any court of
competent jurisdiction to be invalid, such judgment shall not affect,
impair, or invalidate the remainder thereof, but shall be confined in
its operation to the clause, sentence, paragraph, subdivision, section
or part thereof directly involved in the controversy in which such judg-
ment shall have been rendered. It is hereby declared to be the intent of
the legislature that this act would have been enacted even if such
invalid provisions had not been included herein.

§ 3. This act shall take effect immediately provided, however, that
the applicable effective date of Parts A through E of this act shall be
as specifically set forth in the last section of such Parts.