Legislation Details (With Text)

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Int. No. 593

By Council Members Kallos, Constantinides, Reynoso, Richards, Miller, Williams, Rosenthal, Van Bramer, Rose, Cabrera, Chin, Espinal, Lancman, Lander, Levine, Vallone, Johnson, Eugene, Greenfield, Dromm, Levin, Garodnick, Koo, King, Torres, Crowley, Cornegy, Menchaca and Rodriguez

A Local Law to amend the New York city charter, in relation to early voting in municipal elections.

Be it enacted by the Council as follows:

Section 1. Chapter 46 of the New York city charter is amended by adding a new section 1057-c to read as follows:

§ 1057-c Early voting for municipal elections.

a. Beginning the second Tuesday prior to any primary, special, or general election, except a runoff election, for the offices of mayor, public advocate, comptroller, borough president, or councilmember, and ending the Friday prior to such election, persons duly registered and eligible to vote for candidates for such office shall be permitted to vote in person by ballot for a candidate for such office. Voters who cast a ballot at an early voting site during such period shall be prohibited from voting for such office on election day.

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b. The New York city board of elections shall designate at least one polling site in each council district for persons to vote early pursuant to this section. Each polling site shall serve the eligible voters who reside within such council district. Eligible voters may vote early only at the early voting location or locations serving the council district in which they reside.

c. Polls shall be open for early voting from, at minimum, eight o'clock in the morning until eight o'clock in the evening from Monday through Friday, and from nine o'clock in the morning until five o'clock in the afternoon on Saturday and Sunday.

d. The New York city board of elections shall mail to all eligible voters a notice of their designated early voting location, and the days and hours of operation of such location, as part of the mailing sent out pursuant to subdivision one of section 4-117 of the election law, and shall coordinate with the voter assistance advisory committee to create a communication plan utilizing media outlets, including social media, to educate voters about the early voting process.

e. The form of paper ballots used in early voting, and the casting of such ballots, shall comply with applicable legal requirements for voting by paper ballot on election day; provided, however, that ballots cast during the early voting period shall not be canvassed until after the close of the polls on election day.

f. Voters casting ballots pursuant to this section shall be subject to challenge as provided in section 8-500, 8-502, and 8-504 of the election law, or successor provisions.

g. After polls have closed on election day, the removable electronic or computerized devices in use by all voting scanners used during the early voting period shall be counted, canvassed, and otherwise processed in the same manner as those devices used on election day.

h. Notwithstanding any inconsistent provisions of section 3-400 of the election law, election inspectors or poll clerks, if any, at early voting locations shall consist of either New York city board of elections employees who shall be appointed by the commissioners of such board, or duly qualified individuals appointed in the manner set forth in such section. Appointments to the offices of election inspector or poll clerk in each

early voting location shall be equally divided between the major political parties.

i. The provisions of this section shall control notwithstanding any other inconsistent provision of law. Where not inconsistent with the provisions of this section, the process of voting in any primary, special, or general election shall otherwise be governed by applicable provisions of the election law.

§2. This local law shall take effect immediately following its ratification by the voters of this city in a referendum to be held in the general election next following its enactment.

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