



NEW YORK STATE SENATOR

Martin Malavé Dilan

Election Law Bills Sponsored by Senator Dilan Signed into Law by Governor Paterson

MARTIN MALAVÉ DILAN August 6, 2009

| ISSUE: **ELECTIONS**

Two Bills Codify Existing Case Law

(Albany, NY)—Recently Governor Paterson signed Senate bills 1366 and 1554, sponsored by Senator Martin Malavé Dilan (D-Brooklyn) to law, thereby preserving the rights of voters statewide.

“These laws codify existing case law that had been the standard in instances where the validity of voter affidavit ballots were challenged as well as instances where petitions were disputed based on the residency of the witness,” said Senator Dilan.

S.1366 allows a New York State registered voter to be a subscribing witness on an independent petition even if the voter does not reside in the political subdivision, thereby reducing the number of election law cases brought.

S.1554, or “right church, wrong pew” legislation, eliminates confusion by codifying case law that stated when an otherwise qualified voter appears at the correct polling place, but votes in the incorrect Election District, the ballot shall be counted as valid. The ballot would only be valid in races the voter is eligible to vote in.

“This package effectively does away with two loop-holes that allowed for unwarranted challenges to the electoral process and the unconstitutional disenfranchisement of registered voters,” said Senator Dilan.