



NEW YORK STATE SENATOR

Joseph P. Addabbo Jr.

Senator Addabbo to Change Election Law in January Legislative Session

JOSEPH P. ADDABBO JR December 29, 2010

| ISSUE: **ELECTIONS, GENERAL**

Seeks to Change Election Law in January Legislative Session

Queens, NY, December 29, 2010 -- NYS Senator **Joseph P. Addabbo, Jr.** (D-Queens), Chair of the Senate's Elections Committee, is sponsoring a new bill, S.609, during January's next legislative session in Albany, that amends election law section 7-106 (2), by requiring that paper ballots use a simple and easy-to-read bold enlarged typeface and (in subdivision 2-a) by requiring that the State and New York City boards of elections--and those in the largest counties--have a full-time employee on staff trained in ballot design and usability. The newly introduced bill will take effect 60 days after it becomes a law.

The Senator explained, "This was the most common complaint I heard on the campaign trail from my people and I promised them that I would see it was fixed. Current election law does not contain any requirements as to ballot readability or usability, and only requires candidates' names to appear in all capital bold-type letters *with no minimum type size*, which made many ballots used in New York City and elsewhere very difficult and frustrating for voters to read and to use. The small type size problem was particularly acute with the introduction of paper ballots statewide in 2010."

With the new bill, paper ballots will be easier to read. Voters will see simple, easy-to-read type, such as Arial or Univers, and candidates' names, their office titles and political designations, as well as the reading form of all ballot questions submitted, will be printed in capital letters followed by lower case letters of at least 12-point bold (black-faced) type.

A new subdivision to the election law requires that the New York State and New York City boards of elections, as well as those in Erie, Nassau, Suffolk and Westchester counties have one full-time staffer who is fully trained in

effective ballot design and ballot usability. Additionally, such an employee on the state board of elections must be available to review and advise the other counties on the proposed design and usability of their ballots for primary, general and special elections.

Addabbo stated that the best practices recommendations of the June 2007 U.S. Election Assistance Commission's Report on Effective Designs of Federal Elections (Section 3: Optical Scan Ballots) includes these specific changes to election law 7-106 (2), and the Brennan Center's 2008 report, *Better Ballots*, also includes the changes made by this bill in its "Ballot Design Checklist". Despite these and other studies that emphasize the importance of ballot design and usability, expertise in ballot design and usability is lacking within our boards of elections. However, no additional hiring should be necessary to meet the requirements for one full-time employee in the State board of elections and one in the election boards of each of our largest counties to develop the necessary ballot design and usability. Self-study of the extensive amount of literature in this field, along with some training courses, can significantly develop such expertise.

Addabbo is hopeful that his bill and other similar bills can be discussed, voted on and approved early in the 2011 legislative session.

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