



NEW YORK STATE SENATOR

Pete Harckham

Harckham and Senate Approve Absentee Ballot Legislation Package

PETE HARCKHAM January 11, 2021

| ISSUE: **ABSENTEE VOTING, ABSENTEE BALLOTS, NO EXCUSE ABSENTEE VOTING**



Albany, NY – New York State Senator Pete Harckham and members of the State Senate passed today a comprehensive package of voting rights legislation that makes it easier for registered voters to cast absentee ballots and then expedites their counting without compromising the integrity of elections.

Harckham co-sponsored three of the nine bills in the legislative package.

“As proven in our most recent election, held in a pandemic, removing onerous restrictions on absentee ballots helped ensure wider voter participation,” said State Sen. Pete Harckham.

“This new legislative package strengthens voting rights in New York and makes it possible for countless seniors and others to cast their votes.”

The three bills Harckham co-sponsored include:

- S.516 establishes mandatory time frames for processing of absentee ballot applications and ballots by Boards of Elections based on when the application was received;
- S.632 permanently allows voters to apply for absentee ballots online and allows absentee ballots postmarked through Election Day (under current Election Law, applications may only be made by mail or fax); and
- S.253 prohibits voiding absentee ballots on technicalities where intent of voters is clear and the law has been substantially complied with, including where there are stray marks or the ballot is undated but is time stamped by the Board of Elections.

Also, S.1027 amends provisions of the Election Law in order to allow for absentee ballots to be reviewed and counted as they arrive at local election boards instead of waiting until they are all collected. The final tally of votes in this past election cycle in November 2020 came several weeks after Election Day, and for close races that were determined by the absentee ballots, like Harckham’s, the results would have come much sooner—if absentee ballots were examined and counted as they came in.

“Delivering timely results in our elections is a must,” said Harckham. “It is truly dismaying to know that votes were being counted still in my re-election race three weeks after Election Day. We must do better, and we will.”

A number of the absentee ballot bills approved in the Senate today were introduced to build on the success of the absentee ballot procedures established last during the pandemic to support and effectuate voter participation during various lockdowns and self-quarantining. Among these bills are:

- S.360 allows voters to request and cast any voter to vote by absentee without an excuse;
- S.264 sets a deadline for absentee ballot applications sent by mail to 15 days before the election, up from 7 days, to better allow for voters timely receiving their absentee ballots;
- S.492 authorizes the Board of Elections to establish absentee ballot drop-off locations or drop-boxes to provide voters with a convenient and secure option for delivering their absentee ballots;
- S.631 permits Boards of Elections to receive absentee ballot applications earlier than thirty days before the applicable Election Day; and
- S.1028 creates a statewide absentee ballot tracking system for absentee voters and boards of election across the state to ensure that votes are counted in the election.

RELATED LEGISLATION

2021-S516

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- Introduced
 - In Committee Assembly
 - In Committee Senate

- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate
- ○ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor

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Relates to the time period during which absentee ballots shall be mailed or delivered after an application for such ballot is received by the board of elections

January 04, 2021

In Senate Committee **Elections**

Sponsored by **Michael Gianaris**

Do you support this bill?