

STATE OF NEW YORK

5314

2019-2020 Regular Sessions

IN SENATE

April 25, 2019

Introduced by Sen. MAYER -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to time allowed for employees of schools to vote

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. Subdivision 1 of section 3-110 of the election law, as
2 amended by section 1 of part YY of chapter 55 of the laws of 2019, is
3 amended to read as follows:
4 1. A registered voter may, without loss of pay for up to three hours,
5 take off so much working time as will enable him or her to vote at any
6 election provided, however, that employees of public school districts,
7 charter schools, nonpublic schools, and boards of cooperative educa-
8 tional services shall only be eligible for such time off if the employee
9 does not have four consecutive non-working hours either between the
10 opening of the polls and the beginning of his or her working shift, or
11 between the end of his or her working shift and the closing of the
12 polls.
13 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD11315-01-9

**NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1**

BILL NUMBER: S5314

SPONSOR: MAYER

TITLE OF BILL: An act to amend the election law, in relation to time allowed for employees of schools to vote

PURPOSE OR GENERAL, IDEA OF BILL:

To align new provisions for time off for voting with the operations of school districts, charter schools, nonpublic schools and boards of cooperative educational services.

SUMMARY OF SPECIFIC PROVISIONS:

Section 1 amends subdivision 1 of section 3-110 of the election law to specify employees of schools districts, charter schools, nonpublic schools and boards of cooperative educational services shall be eligible for up to three hours of time off from work for voting when such employees do not have four consecutive non-working hours either before or after work to vote.

Section 2 states the effective date.

JUSTIFICATION:

New York State has made tremendous advancements this year in expanding access and opportunity for the public to vote, beginning with Chapter 2 of the Laws of 2019 and more recently under the adopted 2019-20 State Budget. These measures have encouraged young citizens to register or pre-register to vote, expanded the hours of voting in primaries, established early voting and afforded voters additional time off from work to vote, among other provisions.

While laudable in its objective, the additional time off to vote for school employees has the potential to disrupt the instructional day for students and places a difficult burden on schools to maintain appropri-

ate staffing levels in the classrooms.

This legislation is designed to maintain the intent of the law regarding employee time off for voting with an alignment of the operations and requirements of school districts.

PRIOR LEGISLATIVE HISTORY:

New bill.

FISCAL IMPLICATIONS:

None.

EFFECTIVE DATE:

This act shall take effect immediately.