

Bylaws

SUBJECT: ABSENTEE BALLOTS

The Board authorizes the District Clerk to provide absentee ballots to qualified District voters. Absentee ballots will be used for the election of Board members and District public library trustees, the adoption of the annual budget, and District public library budget and referenda.

A District voter must request in advance an application for an absentee ballot. The voter must complete the application and state the reason he or she will not be able to appear in person on the day of the District election/vote for which the absentee ballot is requested. The application must be received by the District Clerk no earlier than the thirtieth day before the election/vote. The application must be received by the District Clerk at least seven days before the election/vote if the ballot is to be mailed to the voter or the day before the election/vote if the applicant or his or her agent delivers the application to the District Clerk in person.

A qualified District voter is eligible to vote by absentee ballot if he or she will be:

- a) Absent from the county of his or her residence;
- b) Unable to appear at the polling place because of illness or physical disability, or duties related to the primary care of one or more individuals who are ill or physically disabled, or because he or she will be or is a patient in a hospital;
- c) An inmate or patient of a veteran's administration hospital; or
- d) Absent from his or her voting residence because he or she is detained in jail awaiting action by a grand jury or awaiting trial or confined in jail or prison after a conviction for an offense other than a felony, provided that he or she is qualified to vote in the election district of his or her residence.

Statements on the application for absentee ballot must be signed and dated by the voter.

A voter's absentee ballot must reach the Office of the District Clerk not later than 5 p.m. on the day of the election/vote in order that his or her vote may be canvassed.

Qualified District voters who are unable to personally appear at the polling place because of a permanent illness or physical disability and whose registration record has been marked "permanently disabled" pursuant to law are entitled to receive an absentee ballot without application.

A list of all persons to whom absentee ballots have been issued will be maintained in the Office of the District Clerk and made available for public inspection during regular office hours until the day of the election/vote. Any qualified voter may, upon examination of this list, file a written challenge of the qualifications as a voter of any person whose name appears on this list, stating the reason for the challenge. The written challenge will be transmitted by the District Clerk to the election inspectors on the day of the District election/vote. In addition, any qualified voter may challenge the acceptance of the absentee voter's ballot of any person on this list by making his or her reasons known to the election inspector before the close of the polls.

(Continued)

SUBJECT: ABSENTEE BALLOTS (Cont'd.)

Military Ballots

The Board authorizes the District Clerk to provide military ballots to military voters to be used for the election of Board members and District public library trustees, the adoption of the annual budget, and District public library budget and referenda.

A military voter is:

- a) A qualified voter of New York State who:
 1. Is in actual military service and, by reason of that military service, is absent from the District on the day of registration or election; or
 2. Is discharged from that military service within thirty days of an election; or
- b) A spouse, parent, child, or dependent of the previously described voter, accompanying or being with that voter, if a qualified voter of New York State and a resident of the District.

A military voter may designate a preference to receive a military ballot application or a military ballot by mail, fax, or email. This designation will remain in effect until revoked or changed by the military voter. If a military voter does not designate a preference, a military ballot application or a military ballot will be provided to the military voter by mail.

Military ballots will be distributed as soon as practicable, but no later than 25 days before the election/vote.

Three days before the first day for distribution of military ballots, the names of all candidates duly nominated for public office and the amendments, referenda, propositions, and questions to be voted for on the ballots will be determined. If, at a later date, the nomination of any candidate named on a military ballot is found invalid, the ballot will still be valid, but no vote for the invalid candidate will be counted in the election/vote.

A voter's military ballot must be received by the Office of the District Clerk not later than 5 p.m. on the day of the election/vote in order that his or her vote may be canvassed at which point the military ballot will be processed in the same manner as absentee ballots.

All military ballot applications and military ballots must be returned by mail or in person.

Education Law §§ 2014, 2018-a, 2018-b, 2018-d, and 2613
8 NYCRR Part 122

Adoption Date: July 13, 2009
Revised Date: March 16, 2021