

Bylaws

SUBJECT: ABSENTEE, MILITARY, AND EARLY MAIL BALLOTS**Absentee Ballots**

The Board authorizes the district clerk or a board designee 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 they 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 or board designee 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 ballot is to be delivered personally to the voter.

An absentee ballot will also be mailed to every qualified district voter otherwise eligible for an absentee ballot who sends a signed letter requesting an absentee ballot which states the address of the voter to the district clerk or board designee. The signed letter must be received by the district clerk or board designee not earlier than the thirtieth day before the election/vote and at least seven days before the election/vote. Enclosed with the absentee ballot will be an application form for the absentee ballot. The absentee ballot will not be counted unless a valid application form is enclosed with the ballot.

A qualified district voter is eligible to vote by absentee ballot if they expect in good faith to be in one of the following categories:

- a) A resident or patient in a hospital, including a veteran's administration hospital, or unable to appear personally at the polling place on that day 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
- b) Absent from the county of the applicant's residence; provided, however, if the applicant expects to be absent from the county for a duration covering more than one election and seeks an absentee ballot for each election, the applicant will state the dates when they expect to begin and end the absence; or
- c) 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 and stating the place where the applicant is detained or confined.

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

A voter's absentee ballot must reach the office of the district clerk or board designee not later than 5 p.m. on the day of the election/vote in order that their 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 subsequent absentee ballots without making separate application if the applicants have previously applied for an absentee ballot.

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SUBJECT: ABSENTEE, MILITARY, AND EARLY MAIL BALLOTS (Cont'd.)

A list of all persons to whom absentee ballots have been issued will be maintained in the office of the district clerk or board designee 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. A challenge to an absentee ballot may not be made on the basis that the voter should have applied for an early mail ballot. The written challenge will be transmitted by the district clerk or board designee to the election inspectors on the day of the district election/vote.

Military Ballots

The Board authorizes the district clerk or a board designee 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 30 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 or board designee not later than 5 p.m. on the day of the election/vote in order that their 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.

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Bylaws

SUBJECT: ABSENTEE, MILITARY, AND EARLY MAIL BALLOTS (Cont'd.)**Early Mail Ballots**

The Board authorizes the district clerk or a board designee to provide early mail ballots to qualified district voters. Early mail 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 early mail ballot. The voter must complete the application. The application must be received by the district clerk or board designee 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 ballot is to be delivered personally to the voter.

An early mail ballot will also be mailed to every qualified district voter otherwise eligible for an early mail ballot who sends a signed letter requesting an early mail ballot which states the address of the voter to the district clerk or board designee. The signed letter must be received by the district clerk or board designee not earlier than the thirtieth day before the election/vote and at least seven days before the election/vote. Enclosed with the early mail ballot will be an application form for the early mail ballot. The early mail ballot will not be counted unless a valid application form is enclosed with the ballot.

Any qualified district voter is eligible to vote by early mail ballot.

Statements on the application for an early mail ballot must be signed and dated by the voter.

A voter's early mail ballot must reach the office of the district clerk or board designee not later than 5 p.m. on the day of the election/vote in order that their vote may be canvassed.

A list of all persons to whom early mail ballots have been issued will be maintained in the office of the district clerk or board designee 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. A challenge to an early mail ballot may not be made on the basis that the voter should have applied for an absentee ballot. The written challenge will be transmitted by the district clerk or board designee to the election inspectors on the day of the district election/vote.

Education Law Sections 2014, 2018-a, 2018-b, 2018-d, 2018-e, 2018-f, and 2613
8 NYCRR Part 122

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