

Frequently Asked Questions

New York – General Election 2024

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Note: This FAQ is not exhaustive. Situations or inquiries may arise that are not answered below. In those circumstances, contact your hotline captain or command center for assistance. Please make sure to record all of the voter’s contact information should follow-up be necessary.

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REGISTERING TO VOTE

1. **ELIGIBILITY:** Can I register to vote?

To register to vote in New York, an individual must:

- Be a U.S. Citizen;
- Be 18 years old on Election Day;
 - **Note:** 16- and 17-year-olds can pre-register but cannot vote until they are 18
- Have been a resident of New York and of the county, city, or village for at least 30 days before Election Day;
 - **Note:** The 30-day residency requirement does not prevent an otherwise qualified U.S. citizen from voting for president or vice president of the United States
- Not be incarcerated for a felony conviction;
- Not have been adjudged mentally incompetent by a court; and

- Not have claimed the right to vote elsewhere.¹

If the voter is currently incarcerated for a felony conviction but will be released before the election, the voter should be offered assistance and an opportunity to register at the time of the voter's release.² See [Question 13](#).

2. **PRIMARY ELECTION:** [Can I vote in the primary election? Do I need to be registered with a political party? Can I change my party registration to vote in another party's primary election? When I voted, the poll worker asked my party affiliation. Are they allowed to do that?](#)

New York is a "closed primary" state, meaning only voters who are enrolled in a political party can vote in a party's primary election.³

A voter may change their party affiliation or enroll in a political party for the first time by submitting a new voter registration form and selecting the party that they would like to join. A new voter registration form can be submitted online, in person, or by mail. See [Question 4](#).

An application to change one's party enrollment must be received by the board of elections no later than February 14 of the year of the primary in which the voter wishes to vote.⁴ Changes received by the board of elections on or after February 15 until 7 days after the primary will be set aside and entered into the voter's registration record 7 days after the primary.⁵

In a primary election, poll workers may ask voters for their party affiliation when distributing ballots.⁶ Voters should not be asked for their party affiliation in a general election.

3. **STATUS:** [Am I registered to vote?](#)

A voter may determine whether they are registered to vote by checking the New York State Board of Elections website ([Voter Lookup](#)).

4. **HOW:** [How do I register to vote? Can I register online? Do I need a printer? Can I register to vote in person?](#)

A voter can register to vote online, in person, or by mail.

- **Online:** New York City residents may register online using the [New York City Board of Elections Online Voter Registration portal](#). Residents of other counties in New York may register online using the [New York State Board of Elections Online Voter Registration portal](#).

¹ <https://www.elections.ny.gov/VotingRegister.html> (last visited June 10, 2024).

² <https://elections.ny.gov/system/files/documents/2024/05/notice-on-mechanics-of-registering-to-vote-2024-.pdf> (last visited June 24, 2024).

³ N.Y. Elec. Law § 8-302(4).

https://elections.ny.gov/system/files/documents/2024/06/2024-election-law-update_final-6.4.24.pdf (last visited June 10, 2024).

⁴ <https://www.elections.ny.gov/VotingRegister.html> (last visited June 10, 2024).

⁵ <https://www.elections.ny.gov/VotingRegister.html> (last visited June 10, 2024).

⁶ According to a January 19, 2024 email from the Public Information Office at the New York State Board of Elections.

- **Note:** If the voter uses the New York State Board of Elections' portal, they will need a [NY.Gov ID](#). If the voter has used NY.Gov ID with another agency, they can use the same login to access the portal. If the voter has not used NY.Gov before, they will need to create an account.
- **In Person:** The voter may register in person at their [county board of elections](#) or any New York State Agency Based registration center [National Voter Registration Act \(NVRA\) | New York State Board of Elections](#). The voter may also submit their completed registration form in person at the DMV or, if they have a DMV-issued identification, on the [DMV's website](#).
- **By Mail:** A voter can request a voter registration form by mail by entering their name into the New York state voter registration list here: [Voter Registration Form Request](#), and when completed, the form can be mailed to their county board of elections.

Voter registration forms may be obtained online, by phone, in person, or by mail.

- **Online:** Voters may download and print a voter registration form from the New York State Board of Elections page, <https://elections.ny.gov/voter-registration-process>.
 - Accessible forms and Spanish translations are available on the following website: <https://elections.ny.gov/voter-registration-process>.
 - Registration forms in Chinese, Korean, and Bengali are also available on the NYC Board of Elections page [Register to Vote | NYC Board of Elections](#).
- **By Phone:** Voters may request a registration form by calling **1-800-FOR-VOTE** (1-800-367-8683).
- **In Person:** Voters may obtain a registration form by going to their [county board of elections](#).
- **By Mail:** Voters may request a voter registration form by mail by entering their name into the New York state voter registration list here: [Voter Registration Form Request](#).

Once completed, voter registration forms may be mailed to the voter's [county board of elections](#).

5. IDENTIFICATION: What ID is required to register to vote?

Voter registration forms ask voters to provide their NY State DMV number (driver's license number or non-driver's state ID number), the last four digits of their SSN, or to state that they do not have either number.⁷

If a voter does not have a NY State DMV number or SSN, and they are registering to vote for the first time by mail or online, they may include a copy of another acceptable form of ID. Acceptable forms of ID include:

- A current driver's license or a DMV non-driver photo ID or other current and valid photo identification (e.g., student ID, passport), or
- A copy of a current utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the voter.⁸

If a first-time voter registering by mail or online does not provide identification when they register, the voter will be asked for it the first time they vote.⁹

⁷ <https://elections.ny.gov/New-York-State-Voter-Registration-Form-English> (last visited June 10, 2024).

⁸ *Id.*

⁹ *Id.*

6. **DEADLINES:** When is/was the voter registration deadline? There are different cutoff dates depending upon whether I register by mail, in-person, online or on Election Day?

For the **November 5 election**, the deadline to register is **October 26, 2024**.¹⁰

Registrations must be received by that date regardless of method of registration (i.e., online, by mail or in person).

7. **SAME DAY:** Does my state have Same Day Registration? If so, what is the process?

Yes, but it is limited to first-time voters and is only available on the first day of the early voting period (October 26).

Referred to as “Golden Day,” first-time voters can both register and vote by affidavit (provisional) ballot at their early voting site on the first day of early voting.¹¹ If the voter’s affidavit ballot, upon review by the board of elections, demonstrates that the voter is eligible to register and vote, the voter will be added to the registration list and their ballot will be counted if it is otherwise valid.¹²

8. **PERMANENT MOVE:** I have moved permanently and I didn’t update my voter registration, can I vote?

Yes; however, the voter’s options for voting (i.e., a regular ballot vs. an affidavit ballot) depend on where the voter moved from and to:

- **If the voter moved within the same Election District**, they should go to their polling place (which should be the same for their old and new address) and provide the poll worker with their new address. The voter should be able to vote a regular ballot in this situation, unless they are challenged on other grounds.¹³
- **If the voter moved to a different Election District** and they go to the polling place for their NEW address, the voter will have to vote by affidavit ballot or may opt to seek a court order to cast a regular ballot.¹⁴ The affidavit ballot should be counted for the races in which the voter is entitled to vote, and their address should be changed in the voter registration records.¹⁵ The voter should confirm that their registration is correct before the registration deadline for the next election.

9. **TEMPORARY MOVE:** I have moved temporarily. How can I vote?

A voter who temporarily moves from their residence but remains eligible to vote from that residence should request an absentee ballot, select “absence from county or New York City on Election Day” as the reason for requesting an absentee ballot, and have the ballot sent to their temporary location.¹⁶

¹⁰ <https://elections.ny.gov/registration-and-voting-deadlines>

¹¹ See N.Y. Elec. Law § 8-604.

¹² *Id.*

¹³ N.Y. Elec. Law § 8-302(b).

¹⁴ *Id.*

¹⁵ *Id.* Voters who have moved between jurisdictions within the state without first updating voter registration, who then cast an affidavit ballot in the new jurisdiction, will have their registration transferred. N.Y. Elec. Law § 5-208(1).

¹⁶ <https://www.elections.ny.gov/RequestBallot.html> (last visited June 10, 2024); see <https://elections.ny.gov/voting-after-incarceration> (last visited June 10, 2024).

10. STUDENT: I am a college student. Can I register to vote where I go to school? What if I am taking classes remotely? Where can I vote?

Yes. College students in New York who meet the registration requirements may register to vote where they go to school so long as they legitimately consider the location of their college to be the place where they maintain a fixed, permanent and principal home, to which they, wherever temporarily located, always intend to return. If a student has relocated permanently to New York to attend school, even if classes are remote, they should be able to register to vote in New York under the general rule. Note, the thirty day residency requirement does not apply to elections for presidential elections.¹⁷ If the student leaves New York for school and intends to return, they can request an absentee ballot, select “absence from county or New York City on Election Day” as their reason for requesting an absentee ballot, and have the ballot sent to their temporary location as noted in [Question 9](#).

If a student has been turned away at the polls, verify that they are registered to vote in that location by the deadline (See Questions [3](#) and [6](#)).

11. LIVING ABROAD: I am living abroad and/or serving in the military. How can I register and/or vote?

U.S. citizens living outside of the United States whose intent to return is uncertain and whose last U.S. residence was in New York, along with their children, may register as a special federal voter in New York, entitling them to receive an absentee ballot for all federal races (President/Vice President, U.S. Senate and House of Representatives), but not state and local races, that they would be otherwise entitled to vote in based on their New York address.¹⁸

U.S. citizens living outside of the United States who intend to return and whose last U.S. residence was in New York, along with their children, may register as a UOCAVA voter in New York, entitling them to receive an absentee ballot for all races on the ballot that they would otherwise be entitled to vote in based on their New York address.¹⁹

Persons serving in the military, along with their spouses and/or dependents, may register as military voters in New York, entitling them to receive an absentee ballot for all federal, state, and local races that they would be otherwise entitled to vote in if they were to go to their assigned polling place based on their New York residence.²⁰

To register as a new military voter or a new special federal voter and/or to request an absentee ballot, the voter must complete a [Federal Post Card Application](#) and return it to their [county board of elections in New York](#). This application will register the voter (if not already registered) and will also serve as the voter’s absentee ballot application for 2 federal General Election cycles. Always be sure to share any change of address information with the voter’s county board of elections.

Applications are available from their Voting Assistance Officer on base (for military voters), or the voter can visit the [Federal Voting Assistance Program Website](#) for forms and information. On this application, the voter may state a preference as to how the voter would like to receive their ballot. The voter can choose mail, fax or email as a preferred method of transmission. If the voter has stated a preference to

¹⁷ N.Y. Elec. Law § 5-102(2)

¹⁸ <https://elections.ny.gov/military-and-overseas-federal-voting> (last visited June 10, 2024).

¹⁹ *Id.*

²⁰ *Id.*

receive the voting materials by email/online, the voter will receive an email notification directing the voter to the State's online ballot delivery site: [NYS](#).

Questions? The voter should call the New York State Board of Elections at 518-474-1953 or the Federal Voter Assistance Program at 1-800-438-8683, or contact their Voting Assistance Officer or U.S. Embassy office or Consulate.

12. CRIMINAL CONVICTION: [I have a felony criminal conviction. Can I register to vote? Does the type of conviction matter? Are there any restrictions after any misdemeanor convictions?](#)

Check the resources at Campaign Legal [Restore Your Vote](#) for the latest information.

If an individual is not currently incarcerated for a felony conviction, they can register to vote.²¹ A misdemeanor conviction does not affect the right to vote in New York.

For more detailed information about voter eligibility after a felony conviction, see below.

In New York, individuals with a felony conviction **CAN** register to vote if they:

- Are on parole;
- Are on probation;
- Are in jail or prison for any reason other than a felony conviction (this includes anyone who is awaiting grand jury action, awaiting trial, or serving a sentence for a misdemeanor);
- Were not sentenced to prison or had their prison sentence suspended;
- Served their maximum prison sentence; or
- Were pardoned.

In New York, individuals with a felony conviction **CANNOT** register to vote if they:

- Are currently incarcerated for a felony conviction.
 - **Note:** After an individual is released from incarceration, their right to vote will automatically be restored; however, they will have to re-register to vote.²² The individual does not need to provide any documentation about their criminal history to register.

13. INCARCERATED: [I am currently incarcerated. Can I register to vote? Can I vote from jail?](#)

Check the resources at Campaign Legal [Restore Your Vote](#) for latest information.

Individuals who are in jail or prison for a felony conviction cannot register to vote. See [Question 12](#). Individuals who are in jail or prison for any reason other than a felony conviction (this includes anyone who is awaiting grand jury action, awaiting trial, or serving a sentence for a misdemeanor) can register.

Individuals who are in jail or prison for any reason other than a felony conviction (this includes anyone who is awaiting grand jury action, awaiting trial, or serving a sentence for a misdemeanor) can register and vote by absentee ballot. See [Question 49](#).

²¹ NY Elec. Law § 5-106(3)-(4) <https://www.nysenate.gov/legislation/laws/ELN/5-106>, See also <https://elections.ny.gov/voting-after-incarceration> (last visited June 10, 2024).

²² *Id.*

Individuals who are incarcerated for a felony conviction should be offered assistance and an opportunity to register at the time of the voter’s release.²³

14. **REGISTRATION CHALLENGED:** [My registration has been challenged, what should I do?](#)

A voter’s registration may be challenged when the voter applies for registration.²⁴ This type of challenge can be filed by another voter, a poll watcher, or an election inspector.²⁵

- If a voter’s ability to apply for registration is challenged, the county board of elections will ask the voter certain questions under oath relating to the challenge and alleged ineligibility.
- If a majority of the county board of elections is satisfied with the voter’s answers, the voter will be registered.²⁶
- If a majority of the county board of elections is not satisfied with the voter’s answers, the county board of elections must: (1) tell the voter why it does not believe the voter is qualified to register; (2) provide the voter with a copy of the affidavit challenging their eligibility to register; and (3) advise the voter of their right to apply for registration to the New York State Board of Elections.²⁷

A voter’s registration may also be challenged after the voter is registered.²⁸ This type of challenge can be filed by “[a]ny person[.]”²⁹

- If a voter’s registration is challenged after they register, the county board of elections will investigate whether the voter is qualified to remain registered.³⁰ The county board of elections will also notify the voter of the challenge by registered or certified mail within 5 days after it receives the challenge.³¹
- If the county board of elections cannot complete its investigation or decide whether the challenged voter is eligible before the next election at which the voter could vote, the county board of elections will put the voter’s name on a challenge list as a person to be challenged when voting.³² See [Question 72](#) for information about what a voter should do when their eligibility to vote is challenged at the polls.

HOW TO VOTE: ELECTION DAY

15. **HOURS:** [When do the polls open/close on Election Day?](#)

²³ <https://elections.ny.gov/system/files/documents/2024/05/notice-on-mechanics-of-registering-to-vote-2024-.pdf> (last visited June 24, 2024).

²⁴ N.Y. Elec. Law § 5-218.

²⁵ *Id.*

²⁶ N.Y. Elec. Law § 5-218(3).

²⁷ *Id.*

²⁸ N.Y. Elec. Law § 5-220(1).

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² N.Y. Elec. Law § 5-220(2).

On Election Day, polls are open from 6:00 AM to 9:00 PM statewide.³³

16. POLLING LOCATION: *Where do I vote on Election Day?*

Voters are required to go to their assigned polling place. Polling places can change right before an election, particularly in New York City. The online polling place lookup tool is safest. Voters can determine a voter’s proper polling place by checking:

- **In New York City:** [Find Your Poll Site | NYC Board of Elections](#) NYC’s polling locator.
- **Outside of New York City:** Use the Get to the Polls tool at [Voter Lookup](#).

If a voter has moved recently and has not updated their voter registration, refer to [Questions 8](#) and [9](#).

17. TIME OFF WORK: *Is my employer required to give me time off to vote? Is it paid or unpaid?*

Voters are eligible for up to two hours of paid time off to vote if they do not have “sufficient time to vote.”³⁴ A voter is deemed to have “sufficient time to vote” if they have four consecutive hours to vote either from the opening of the polls to the beginning of their work shift, or four consecutive hours between the end of a working shift and the closing of the polls.³⁵

Voters must tell their employers that they need time off to vote at least two days before the election.³⁶

18. CLOSING: *What if the polls close when I am already in line?*

Any eligible voter who is in line or inside the polling place by 9:00 PM must be allowed to vote.³⁷

19. IDENTIFICATION: *What identification is required to vote?*

If a voter voted in New York before, registered in person, or provided an acceptable form of identification at the time of registration, see [Question 5](#), the voter does not need to show identification to vote.

If the voter is voting for the first time after registering by mail or online and they did not provide a New York State DMV number (driver’s license or non-driver’s state ID number) or the last four digits of their SSN when they registered, the voter may provide any of the following forms of identification and cast a regular ballot:

- A current driver’s license or a DMV non-driver photo ID or other current and valid photo identification (e.g., student ID, passport), or
- A copy of a current utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the voter.³⁸

If a first-time voter who has not provided their New York State DMV number or the last four digits of their SSN on their voter registration form does not produce one of the above forms of identification at the polling place, the voter can vote by affidavit (provisional) ballot. However, first-time voters who

³³ N.Y. Elec. Law § 8-100(2).

³⁴ N.Y. Elec. Law § 3-110; [Time Off to Vote | New York State Board of Elections](#) (last visited June 10, 2024).

³⁵ *Id.*

³⁶ *Id.*

³⁷ N.Y. Elec. Law § 8-104(5).

³⁸ N.Y. Elec. Law §8-302(2)(b).

registered by mail or online should try to provide one of the acceptable forms of ID instead of casting an affidavit ballot, if possible, so that they can cast a regular ballot.

20. NO IDENTIFICATION: Can I vote without providing identification?

Yes. Most voters in New York are **not required** to provide any identification to vote.³⁹ Certain first-time voters who registered by mail or online may be asked to show identification if they did not provide it at the time of registration.⁴⁰ If those first-time voters cannot produce identification, they may still vote by affidavit (provisional) ballot. See [Question 19](#).

21. NOT ON ROLLS AT MY POLLING PLACE: I am at my polling place but am not showing up on the voter registration roll. Can I vote where I am?

- **If the voter is in New York City:** Verify that the voter is registered in this election and at the correct polling place by checking [Find Your Poll Site | NYC Board of Elections](#).
- **If the voter is outside of New York City:** Use the Get to the Polls tool at [Voter Lookup](#) on the state polling locator.

Regardless of where a voter is in New York, the voter can ask a poll worker or election inspector to verify where the correct polling place and election district for their address is.⁴¹

If the voter is registered and at the correct polling place, make sure that the poll worker checked the e-poll book.⁴² If the voter's name is still not found, but they are confident that they registered to vote by the deadline, the voter in this situation has two options:

- Go before a judge, who has the authority to order that the voter be given a regular ballot.⁴³
 - These judges are typically at the county boards of elections office, but call the county with, or on behalf of, the voter to confirm before sending them there. The voter would have to make their case to the judge. **OR**
- Vote with an affidavit (provisional) ballot.⁴⁴
 - As long as the voter is registered to vote and appears at a polling place that is in the correct county and assembly district, the voter's affidavit ballot will count for the races in which the voter is entitled to vote.⁴⁵ If the voter casts an affidavit ballot, let them know that the poll worker should give them a piece of paper with a website and/or phone number they can use to find out whether their affidavit ballot was counted.

22. GIVEN PROVISIONAL BALLOT: I am being told I have to vote provisionally, what does that mean?

If a voter is told they must vote an affidavit (provisional) ballot, it can mean one of the following:

³⁹ See N.Y. Elec. Law § 8-302.

⁴⁰ See N.Y. Elec. Law § 8-303.

⁴¹ N.Y. Elec. Law § 8-302(3)(e)(i)-(ii).

⁴² A minority of New York counties still use paper pollbooks. In that case, poll workers should check both the regular poll book, the inactive voter roll, and the supplemental poll book. The supplemental poll book may contain voters whose registrations were processed after the regular poll books were printed or inactive voters. Not all polling places will have supplemental books, but it is important to check.

⁴³ N.Y. Elec. Law § 8-302(3)(e)(i).

⁴⁴ N.Y. Elec. Law § 8-302(3)(e)(ii).

⁴⁵ N.Y. Elec. Law § 9-209(7)(d).

- The voter’s name does not appear on the voter rolls and their eligibility to vote cannot otherwise be established;
- The voter’s eligibility to vote has been challenged by a poll watcher or another voter and the voter has refused to take the applicable challenge oaths;
- The board of elections has mailed an early mail or absentee ballot to the voter; or
- The voter is a first-time voter who registered by mail and has not produced appropriate ID either when registering or at the polls.⁴⁶

When casting an affidavit ballot, the voter will be asked to sign an oath affirming that all of the information they have provided is accurate. These ballots are subject to bipartisan review from the board of elections to determine whether the ballot should be counted.

23. REQUESTING PROVISIONAL BALLOT: I am being told I can’t vote, can I vote provisionally?

Yes. If a voter believes they are eligible to vote, they must be offered an affidavit (provisional) ballot.⁴⁷ The voter may also seek a court order to cast a regular ballot.⁴⁸

24. PROVISIONAL BALLOT NEXT STEPS: I voted a provisional ballot, what now?

If the voter uses an affidavit (provisional) ballot, they should be provided with a piece of paper containing information about the next steps they need to take to have their affidavit ballot counted, and how to track whether it is counted.

HOW TO VOTE: IN-PERSON EARLY VOTING

(in this state defined as: a qualified voter casting a ballot in person at an early voting site during the early voting period)

25. AVAILABILITY: Is there early voting in my state (whether called early voting or in person absentee voting)?

Yes. In-person early voting starts 10 days before Election Day and ends on the Sunday before Election Day.⁴⁹

26. ELIGIBILITY: Do I have to have a reason to vote early?

No. Any person otherwise eligible to vote is entitled to vote early in person.

⁴⁶ See N.Y. Elec. Law §§ 8-302-03.

⁴⁷ N.Y. Elec. Law § 8-302(e)(ii).

⁴⁸ N.Y. Elec. Law § 8-302(e)(i).

⁴⁹ N.Y. Elec. Law § 8-600(1)(a).

27. WHEN: When does early voting begin/end?

For the **November 5 general election**, in-person early voting takes place from **Saturday, October 26 through Sunday, November 3, 2024**.⁵⁰ Polls are required to be open for at least 8 hours each day for early voting. Local Boards must provide a minimum of eight early voting hours per day on weekdays, between 7:00 am and 8:00 pm. All voters must have access until 8:00 pm on at least two weekdays. On Saturdays, Sundays, and holidays during the early voting period, local Boards must provide a minimum of eight hours of early voting per day between 9:00 am and 8:00 pm.⁵¹

28. WHERE: Where do I vote during early voting?

New York City residents are required to go to their assigned early voting site. Residents of other counties in New York may vote at any of the early voting centers in the county where they reside.

Polling locations are determined by county boards of elections. To locate an early voting site:

- **In New York City:** [Find Your Poll Site | NYC Board of Elections](#).
- **Outside of New York City:** Use the Get to the Polls tool [Voter Lookup](#) on the state polling locator. (Note: The voter will have to click through to the county homepage)

29. IDENTIFICATION: What identification is required for early voting? What if I don't have an ID?

The identification requirements for in-person early voting are the same as the identification requirements for in-person voting on Election Day. See [Questions 19](#) and [20](#).

30. ASSISTANCE: What if I need assistance voting early in person?

Any voter who requires assistance to vote by reason of blindness, disability, or inability to read or write can take a person of the voter's choice (excluding an employer, an agent of an employer, or an officer or agent of their union), or two election inspectors of different political parties, into the voting booth to help them understand and cast a ballot.⁵² See [Accessibility/Assistance section](#) for more information for those who need assistance.

HOW TO VOTE: VOTE BY MAIL

(in this state defined as: a qualified voter applying for an "early mail ballot" without providing a reason and returning it by mail or in-person)

31. AUTOMATIC MAIL BALLOT: Will I automatically be sent a ballot in the mail?

⁵⁰ <https://www.elections.ny.gov/VotingDeadlines.html> (last visited June August 2410, 2024) .
[2024-political-calendar-quad-fold-final-draftv3.pdf \(ny.gov\)](#)

⁵¹ N.Y. Elec. Law § 8-600(4-a).

⁵² N.Y. Elec. Law § 8-306.

No, except voters who are permanently ill or disabled have the right to receive an *absentee ballot* for each subsequent election without further application.⁵³ The voter must first file an application with their county board of elections indicating they have a permanent illness or physical disability.⁵⁴ The voter will then automatically receive an *absentee ballot* for every election until the voter's registration is canceled.

All other voters can apply to receive an *early mail ballot* for all remaining elections in the calendar year without further application.⁵⁵ After the 2024 general election, the voter will need to make the request again.

***Note:** On September 20, 2023, Gov. Kathy Hochul signed Chapter 481 of the Laws of 2023, enacting the [New York Early Mail Voter Act](#). This is a separate program from the absentee balloting statute, which remains fully in place. The constitutionality of the New York Early Mail Voter Act has been repeatedly affirmed, including by New York's highest court on August 20, 2024.⁵⁶

32. **ELIGIBILITY:** Do I need a specific reason to vote by mail?

No. Any registered voter may apply for and vote by early mail ballot.⁵⁷

33. **APPLICATION DEADLINE:** What is the deadline for requesting a mail-in ballot?

The last day to request an early mail ballot or an absentee ballot is 10 days before an election if requested by letter/fax/online and one day before an election if requested in person. Requests made by letter/fax/online must be RECEIVED by the board of elections 10 days before the relevant election.⁵⁸

- For the **November 5 general election**, the deadline to apply for an early mail ballot by letter/fax/online is **October 26, 2024**. The board must receive the application by that date. The deadline to apply in-person is **November 4, 2024**.⁵⁹

34. **APPLICATION ASSISTANCE:** Can someone assist me with filling out the application?

Voters with disabilities may sign the early mail ballot application themselves or may make a mark and have that mark witnessed in the spaces provided on the bottom of the application. A power of attorney or printed name stamp is not allowed for any voting purpose.⁶⁰

35. **APPLICATION RETURN:** How do I submit my mail-in ballot application? Can someone return it for me? Does it have to be postmarked by a specific date?

Voters may apply for an early mail ballot in any of the following ways:⁶¹

⁵³ <https://www.elections.ny.gov/RequestBallot.html> (last visited June August 2410, 2024).

⁵⁴ *Id.*

⁵⁵ N.Y. Elec. Law § 8-700(5).

⁵⁶ Stefanik v. Hochul, Opinion, 2024 NY Slip Op 04236, No. 86 (N.Y. 2024).

⁵⁷ <https://www.elections.ny.gov/RequestBallot.html> (last visited July 6, 2024).

⁵⁸ N.Y. Elec. Law § 8-700(2)(c); <https://www.elections.ny.gov/RequestBallot.html#Due> (last visited June 10, 2024).

⁵⁹ See <https://www.elections.ny.gov/VotingDeadlines.html> (last visited June 10, 2024).

⁶⁰ <https://elections.ny.gov/early-vote-mail-application-english> at 2 (last visited June 10, 2024).

⁶¹ <https://www.elections.ny.gov/RequestBallot.html> (last visited June 10, 2024).

- Using the online Ballot Request Application portal: [Early Mail Ballot Application](#)
 - If the voter is visually impaired and requires a ballot with accessible features, they can apply using the online Accessible Absentee Ballot Application portal: [Voter Accessible Ballot Application Request](#)
- By going in-person to their local [county board of elections](#)
- By downloading and printing an application for an absentee ballot from the New York State Board of Elections page and returning their completed application by mail, fax, or in-person to their local county board of elections.
- By designating another person to deliver their application in-person to their local county board of elections and receive their ballot

An application returned by mail must be RECEIVED by the local board of elections 10 days before the election for which the application is sent.⁶²

36. IDENTIFICATION: Are there identification requirements when I return my vote by mail ballot application and/or ballot?

Most voters are not required to provide identification when they return their application to vote early by mail and/or ballot.

Certain first-time voters – namely, those who registered by mail or online and did not provide an acceptable form of identification – will be required to provide identification when they return their application to vote early by mail or else their application will be rejected. If a voter’s application is rejected, the county board of elections is required to immediately notify the voter and provide the reason for rejection so that the voter can cure the issue with their application.⁶³

If a voter is a first-time voter and registered by mail or online but did not provide identification when registering, the voter should include a copy of an acceptable form of identification when they return their application for an early ballot by mail.

If a voter is a first-time voter and has not yet registered to vote, the voter should return a voter registration application with their application for an early ballot by mail.⁶⁴

37. RECEIVING MAIL BALLOT: Does the ballot have to be sent to my home, or can I have it sent somewhere else? What if I don’t have a home address or my address is a PO Box?

The early mail voting ballot does not need to be sent to the voter’s home. The voter should specify on their application the address where they want to receive the ballot. If the voter wants to designate another person to pick up their ballot at the board of elections, they may do so by writing in the name of the person who will be picking up the ballot. If the voter wants to pick up the ballot themselves at the board of elections, they may select that option on the application.⁶⁵

⁶² N.Y. Elec. Law § 8-700(2)(c).

⁶³ N.Y. Elec. Law § 8-702(1) (“An application to vote early by mail filed or received simultaneously with or on the same day as a valid registration application from the applicant shall be considered valid.”).

⁶⁴ N.Y. Elec. Law § 8-702(1).

⁶⁵ [New York State Early Mail Ballot Application](#) (last visited June 10, 2024).

38. MISSED THE APPLICATION DEADLINE: [What if I have not requested a mail-in ballot by the deadline?](#)

If the voter did not submit their application for an early mail ballot by the 10-day “receive by” deadline for letter/fax/online requests, the voter may vote early in-person or submit an application for an early mail ballot in person at the local board of elections office until one day before the election. See Section on [How to Vote: Early Voting](#). The voter may also vote at their polling place on Election Day. See Section on [How to Vote: Election Day](#).

39. STATUS OF APPLICATION AND/OR BALLOT: [How can I check the status of my application and/or mail-in ballot?](#)

- **Voters in New York City** may look up the status of their early mail ballot application and their early mail ballot using the NYC Board of Elections’ tracker, [Track Ballot](#).
- **Voters outside of New York City** may look up the status of their early mail ballot application and their early mail ballot using the New York State Board of Elections’ tracker [Voter Lookup](#).

40. APPLICATION OR BALLOT REJECTED: [I learned my mail-in ballot application and/or ballot was rejected. What can I do to fix any errors or get another one?](#)

A voter’s early mail ballot application can be rejected if the county board of elections determines the voter is not a registered voter at the address listed in the voter’s application or the voter is not eligible to vote in all of the elections for which the application is filed.⁶⁶ If the voter’s application is rejected for this reason, the county board of elections is required to immediately notify the voter and provide the reason for rejection.⁶⁷

If a voter’s ballot is rejected for the following issues, the voter will be notified and provided with the opportunity to cure the issue:

- The affirmation envelope is unsigned, is only signed by the person who assisted the voter, or contains the signature of someone other than the voter;
- The signature on the envelope does not match the signature with the voter’s registration;
- The affirmation envelope does not have the required complete witness to a mark;
- The ballot is returned without an affirmation envelope; or
- The ballot is returned by mail between 2 and 7 days after the election without a postmark.⁶⁸

The voter will be given the opportunity to complete and return a cure affirmation to the board of elections. The board of elections must provide a postage paid return envelope which may be used if the voter returns the cure affirmation by mail. At the option of the voter, the cure affirmation may be transmitted in person, by mail or in electronic form as an attachment to an email or by upload. The cure affirmation must be received by the board of elections no later than seven business days after the board's mailing of such curable rejection notice or by five p.m. on the seventh day following the election, whichever is later (a cure affirmation received electronically prior to midnight on the last day to cure is timely).⁶⁹

⁶⁶ N.Y. Elec. Law § 8-702(1).

⁶⁷ N.Y. Elec. Law § 8-702(2).

⁶⁸ N.Y. Elec. Law § 9-209.

⁶⁹ *Id.* N.Y. Elec. Law § 9-209(3)(d) and (e).

41. **COMPLETING BALLOT:** How do I complete the mail-in ballot?

Voters can complete their early mail ballot by following the following steps:

- Mark the ballot according to their choices for each office.
- Once they have completed marking their ballot, the voter should fold it up and place it in the Security Envelope (this envelope will have a place for the voter’s signature).
- Sign and date the outside of the Security Envelope.
- Seal the Security Envelope.
- Place the Security Envelope in the Return Envelope.
 - This envelope will have the return address of the voter’s county board of elections on the outside and should have a logo that reads, “Official Election Mail” and is marked “Return Envelope.”
- Seal the Return Envelope.⁷⁰

All early mail ballots include a pre-paid Return Envelope.⁷¹ The Return Envelope does not require any additional postage.⁷²

42. **ASSISTANCE COMPLETING BALLOT:** Can someone assist me in filling out my ballot?

Voters with disabilities may sign the ballot’s oath envelope themselves, or may make a mark and have that mark witnessed in the space provided on the ballot’s oath envelope for the name and address of a witness.⁷³ A power of attorney or name stamp is not allowed.

If the voter is visually impaired or otherwise has a visual disability, and that disability prevents the voter from being able to independently cast a paper early mail ballot, the voter may qualify to vote by accessible early mail ballot, so long as they require an accessible electronic early mail ballot to vote privately and independently.⁷⁴ The application for a voter accessible early mail ballot application is available at [Voter Accessible Ballot Application Request](#).

43. **DEADLINE TO RETURN BALLOT:** What is the deadline for the ballot to be received? Does it have to be postmarked by a specific date? Can I drop it off in person?

Voters can return their ballot by mail, or they can drop it off in person. If returned by mail, the ballot must be postmarked by Election Day. The deadlines for returning early mail ballots are below.

- For the **November 5 general election**, voters can return their early mail ballots in any of the following ways:⁷⁵
 - Put it in the mail ensuring it receives a **postmark** no later than **November 5, 2024**. The ballot must be received by the board of elections no later than **November 12, 2024**.

⁷⁰ <https://www.elections.ny.gov/RequestBallot.html> (last visited June 10, 2024).

⁷¹ *Id.*

⁷² *Id.*

⁷³ N.Y. Elec. Law § 7-119(6).

⁷⁴ <https://www.elections.ny.gov/RequestBallot.html> (last visited June 10, 2024).

⁷⁵ *Id.*

- Drop it off at their county board of elections office no later than **November 5, 2024, by 9:00 PM.**
- Drop it off at any early voting poll site in the voter's county between **October 26 and November 3, 2024.**
- Drop it off at any poll site in the voter's county on **November 5, 2024, by 9:00 PM.**

The board of elections recommends voters mail their completed ballot at least seven days before Election Day.

44. BALLOT DROP OFF LOCATIONS: [What are the locations for dropping off a ballot \(instead of mailing it\)?](#)

New York does not have free-standing drop boxes; however, voters can drop off their mail ballots at their county board of elections office, any early voting poll site in their county, or any Election Day poll site in their county.

45. ASSISTANCE DROPPING OFF BALLOT: [Can someone else drop off my completed ballot for me?](#)

New York Election Law requires that the envelope containing a voter's early mail ballot be mailed or delivered to the board of elections in the county or city of their residence.⁷⁶ New York law does not require that the mailing or delivery of a completed and sealed ballot envelope must be by the voter, but the voter must complete the ballot and seal it in the inner envelope, which is then signed and inserted in the outer envelope for mailing or delivery.

46. LOST OR SPOILED BALLOT: [What if I lost my mail-in ballot, made a mistake on it \(spoiled it\), or I received an incorrect ballot?](#)

The voter should contact their county board of elections and explain the issue and request a replacement early mail ballot, assuming that there is sufficient time. If time is short, they can contact the county board of elections and arrange to pick up the ballot in person, or through a person they designate to pick it up. If feasible, the voter may also vote in person during early voting or on Election Day by affidavit (provisional) ballot.⁷⁷

47. NON-RECEIPT OF BALLOT: [What if I requested a mail-in ballot but have not received it? What are my options for voting?](#)

The voter may apply for and obtain an early mail ballot in person at their county board of elections until the day before the election. The voter may also vote in person during early voting or on Election Day by affidavit (provisional) ballot, or contact their county board of elections for further assistance.

48. IN PERSON OPTION: [What if I requested or received a mail-in ballot but I want to vote in person on Election Day?](#)

⁷⁶ N.Y. Elec. Law § 8-708.

⁷⁷ N.Y. Elec. Law § 8-302(2-a).

If a voter was issued an early mail ballot, the voter can vote in person on Election Day but only by affidavit ballot.⁷⁸ This is the law regardless of whether a voter destroys or surrenders the mail ballot. If election officials determine that the voter's early mail ballot was received, the affidavit ballot will not be counted.⁷⁹ If the voter's early mail ballot was not received, the affidavit ballot will be counted.⁸⁰

HOW TO VOTE: ABSENTEE

(in this state defined as: a qualified voter applying for an absentee ballot by providing a qualifying reason and returning it by mail or in person)

49. ELIGIBILITY: Am I eligible to request an absentee ballot?

A qualified voter may only vote absentee if they expect to be:

- Absent from the voter's county, or if a resident of New York City absent from the five boroughs, on Election Day;
- Unable to appear at the polls due to temporary or permanent illness or disability;
- Unable to appear because they are the primary caregiver of one or more individuals who are ill or physically disabled;
- A resident or patient of a Veterans Health Administration Hospital; or
- In jail or prison for any reason other than a felony conviction. This includes anyone who is awaiting grand jury action, awaiting trial, or serving a sentence for a misdemeanor.⁸¹

50. APPLICATION DEADLINE: What is the deadline for requesting an absentee ballot?

The last day to request an absentee ballot is 10 days before an election if requested by letter/fax/online and one day before an election if requested in person. Requests made by letter/fax/online must be RECEIVED by the board of elections 10 days before the relevant election.⁸² A pre-registered voter who is 17 on the last day to request an absentee ballot but who will be 18 by Election Day, may request and receive an absentee ballot.

- For the **November 5 federal election**, the deadline to apply for an absentee ballot by letter/fax/online is **October 26, 2024**, meaning that the application must be received by the board of elections by that date. The deadline to apply in person is **November 4, 2024**.

Voters are urged to request an absentee ballot as early as possible and not to wait for the absentee deadline, if feasible.

51. IDENTIFICATION: Are there any identification requirements?

⁷⁸ N.Y. Elec. Law § 8-302(2-a).

⁷⁹ <https://www.elections.ny.gov/RequestBallot.html> (last visited June 10, 2024).

⁸⁰ *Id.*

⁸¹ *Id.*

⁸² N.Y. Elec. Law §§ 8-400(2)(c); <https://www.elections.ny.gov/RequestBallot.html#Due> (last visited June 10, 2024).

Most voters are not required to provide identification when they return their absentee ballot application and/or absentee ballot.

Certain first-time voters – namely, those who registered by mail or online and did not provide an acceptable form of identification – will be required to provide identification when they return their absentee ballot application or else their application will be rejected. If a voter’s application is rejected, the county board of elections is required to immediately notify the voter and provide the reason for rejection so that the voter can cure the issue with their application.⁸³

If a voter is a first-time voter and registered by mail or online but did not provide identification when registering, the voter should include a copy of an acceptable form of identification when they return their absentee ballot application.

52. **EMERGENCY:** *Is there an emergency absentee ballot? If so, am I eligible?*

No. Applications requesting to receive an absentee ballot by mail must be received by the board of elections in the voter’s county no later than ten days before the election, or October 26, 2024, for the November 5 general election. For absentee ballots to be received in-person, applications must be received by the voter’s board no later than the day before the election, November 4, 2024.⁸⁴

If the voter is sending a designee to request the ballot, the designee **must** bring a completed Absentee Ballot Application (downloadable from the state or NYC Board of Election website) signed by the voter identifying and authorizing the designee in section 6 (or section 7 as applicable) of the Absentee Ballot Application who can then retrieve an absentee ballot for the voter.⁸⁵ The completed ballot must then be returned by mail with a postmark, to the county BOE office, or to any polling place within the county by the close of polls on Tuesday, Election Day.⁸⁶

There is no separate emergency absentee ballot.⁸⁷

53. **APPLICATION RETURN:** *Where and how can I return my absentee ballot application? Can someone return it for me?*

Voters may apply for an absentee ballot in any of the following ways:

- Using the online Absentee Ballot Application portal, [Voter Absentee Ballot Application Request](#)
 - If the voter is visually impaired and requires a ballot with accessible features, they can apply using the online Accessible Absentee Ballot Application portal: [Voter Accessible Ballot Application Request](#)
- By going in-person to their local [county board of elections](#)
- By downloading and printing an application for an absentee ballot from the New York State Board of Elections page, <https://www.elections.ny.gov/RequestBallot.html> and returning their completed application by mail, fax, or in-person to their local county board of elections.

⁸³ N.Y. Elec. Law § 8-402(5).

⁸⁴ [Request a Ballot | New York State Board of Elections \(ny.gov\)](#).

⁸⁵ *Id.*

⁸⁶ <https://www.elections.ny.gov/RequestBallot.html>

⁸⁷ According to a January 19, 2024 email from the Public Information Office at the New York State Board of Elections.

- By designating another person in section 6 or 7 of the downloadable/printable Absentee Ballot Application to deliver their application in-person to their local [county board of elections](#) and receive their ballot.

54. STATUS OF APPLICATION AND/OR BALLOT: How can I check the status of my absentee ballot application and/or absentee ballot return?

- **Voters in New York City** may look up the status of their absentee ballot application and their absentee ballot using the NYC Board of Elections' tracker, [Track Ballot](#).
- **Voters outside of New York City** may look up the status of their absentee ballot application and their absentee ballot using the New York State Board of Elections' tracker, [Voter Lookup](#).

55. APPLICATION OR BALLOT REJECTED: I learned my absentee ballot application and/or ballot was rejected. How can I confirm this and what can I do to fix any errors or get another one?

A voter's absentee ballot application will be rejected if the county board of elections determines the voter is not qualified to vote by absentee ballot.⁸⁸ If the voter's application is rejected for this reason, the county board of elections is required to immediately notify the voter and provide the reason for rejection.⁸⁹

If a voter's ballot is rejected for the following issues, they will be notified and provided with the opportunity to cure the issue:

- The affirmation envelope is unsigned, is only signed by the person who assisted the voter, or contains the signature of someone other than the voter;
- The signature on the envelope does not match the signature with the voter's registration;
- The affirmation envelope does not have the required complete witness to a mark;
- The ballot is returned without an affirmation envelope; or
- The ballot is returned by mail between 2 and 7 days after the election without a postmark.⁹⁰

The voter will be given the opportunity to complete and return a cure affirmation to the board of elections. The board of elections must provide a postage paid return envelope which may be used if the voter returns the cure affirmation by mail. At the option of the voter, the cure affirmation may be transmitted in person, by mail or in electronic form as an attachment to an email or by upload. The cure affirmation must be received by the board of elections no later than seven business days after the board's mailing of such curable rejection notice or by five p.m. on the seventh day following the election, whichever is later (a cure affirmation received electronically prior to midnight on the last day to cure is timely).⁹¹

56. COMPLETING BALLOT: How do I complete the absentee ballot?

Voters can complete their absentee ballot by following the following steps:

- Mark the ballot according to their choices for each office.
- Once they have completed marking their ballot, the voter should fold it up and place it in the Security Envelope (this envelope will have a place for the voter's signature).

⁸⁸ N.Y. Elec. Law § 8-402(1).

⁸⁹ N.Y. Elec. Law § 8-402(5).

⁹⁰ N.Y. Elec. Law § 9-209.

⁹¹ N.Y. Elec. Law § 9-209(3)(d) and (e).

- Sign and date the outside of the Security Envelope.
- Seal the Security Envelope.
- Place the Security Envelope in the Return Envelope.
 - This envelope will have the return address of the voter’s county board of elections on the outside and should have a logo that reads, “Official Election Mail” and is marked “Return Envelope.”
- Seal the Return Envelope.⁹²

All absentee ballots include a pre-paid Return Envelope.⁹³ The Return Envelope does not require any additional postage.⁹⁴

57. ASSISTANCE COMPLETING BALLOT: *Can someone assist me filling out the ballot?*

Voters with disabilities may sign the ballot’s oath envelope themselves, or may make a mark and have that mark witnessed in the space provided on the ballot’s oath envelope for the name and address of a witness.⁹⁵ A power of attorney or name stamp is not allowed.

58. BALLOT DEADLINES: *What is the deadline for the ballot to be postmarked and/or received by, including dropping it off in person?*

- For the **November 5 general election**, voters can return their absentee ballots in any of the following ways:⁹⁶
 - Put it in the mail ensuring it receives a **postmark** no later than Election Day, **November 5, 2024**.
 - Drop it off at their county board of elections office no later than Election Day, **November 5, 2024, by 9:00 PM**.
 - Drop it off at any early voting poll site in the voter’s county between **October 26 and November 3, 2024**.
 - Drop it off at any poll site in the voter’s county on **November 5, 2024, by 9:00 PM**⁹⁷

59. BALLOT DROP OFF LOCATIONS: *Where can I drop off a ballot (instead of mailing it)?*

New York does not have free-standing drop boxes; however, voters can drop off their absentee ballots at their county board of elections office, any early voting poll site in their county, or any Election Day poll site in their county.

60. ASSISTANCE DROPPING OFF: *Can someone else drop off my completed ballot for me?*

⁹² <https://www.elections.ny.gov/RequestBallot.html> (last visited August 24, 2024). If a ballot affirmation envelope is received by the board completely unsealed (invalid), the board must notify the voter of other voting options, and, if time permits, provide a new ballot. Ballot envelopes are not invalid and do not require a cure if the ballot envelope is sealed with tape or glue, or partially unsealed with no ability to access the ballot. N.Y. Elec. Law §§ 9-209(2)(a), (3)(g) and (3)(i).

⁹³ *Id.*

⁹⁴ *Id.*

⁹⁵ N.Y. Elec. Law § 7-122(6).

⁹⁶ <https://www.elections.ny.gov/RequestBallot.html> (last visited Jan. 10, 2024).

⁹⁷ [2024-political-calendar-quad-fold-final-draftv3.pdf](https://www.elections.ny.gov/2024-political-calendar-quad-fold-final-draftv3.pdf) (ny.gov)

New York Election Law requires that the envelope containing a voter's absentee ballot be mailed or delivered to the board of elections in the county or city of their residence.⁹⁸ New York Law does not require that the mailing or delivery of a completed and sealed ballot envelope must be by the voter, but the voter must complete the ballot and seal it in the inner envelope, which is then signed and inserted in the outer envelope for mailing or delivery.

61. LOST OR SPOILED: What if I lost my absentee ballot or it is spoiled or I received an incorrect one?

The voter should contact their county board of elections and explain the issue and request a replacement absentee ballot, assuming that there is sufficient time. If time is short, they can contact the county board of elections and arrange to pick up the ballot in person, or through a person they designate to pick it up. If feasible, the voter may also vote in person during early voting or on Election Day by affidavit (provisional) ballot.⁹⁹

62. NON-RECEIPT OF BALLOT: What if I requested an absentee ballot but have not received it? Can I do anything?

The voter may apply for and obtain an absentee ballot in person at their county board of elections until the day before the election. The voter may also vote in person during early voting or on Election Day by affidavit (provisional) ballot or contact their county board of elections for further assistance.

63. IN PERSON OPTION: What if I requested an absentee ballot but I want to vote in person on Election Day?

If a voter was issued an absentee ballot, the voter can vote in person on Election Day but only by affidavit ballot.¹⁰⁰ This is the law regardless of whether a voter destroys or surrenders the absentee ballot. If election officials determine that the voter's absentee ballot was received, the affidavit ballot will not be counted.¹⁰¹ If the voter's absentee ballot was not received, the affidavit ballot will be counted.¹⁰²

64. IN PERSON ABSENTEE: Where do I vote in-person absentee? When can I do this?

Voters can appear at their local board of elections office during operating hours up until and including the day before Election Day where they can complete and submit an absentee ballot application to the board's bipartisan staff, receive a ballot during the same visit, privately complete and seal/sign it according to the accompanying instructions, and return it directly to board of elections staff during the same visit or prior to the close of polls on Election Day, either at their county board of elections office, or an early voting poll site or Election Day poll site in their county. For the deadlines when a voter can return their absentee ballot in-person, see [Question 58](#).

POLLING PLACE ISSUES

⁹⁸ N.Y. Elec. Law § 8-410.

⁹⁹ N.Y. Elec. Law § 8-302(2-a).

¹⁰⁰ N.Y. Elec. Law § 8-302(2-a); according to a January 19, 2024 email from the Public Information Office at the New York State Board of Elections.

¹⁰¹ <https://www.elections.ny.gov/RequestBallot.html> (last visited June 10, 2024).

¹⁰² *Id.*

65. **POLLING PLACE NOT OPEN:** The polling place is not open. What should I do?

Polls in New York on Election Day are open from 6:00 AM to 9:00 PM. See [Question 18](#). Early voting hours during the early voting period vary by county.

66. **LONG LINES:** There are long lines at the polling place. What should I do? What if the polls are closing while I'm in line?

Any eligible voter in line or inside the polling place by 9:00 PM must be allowed to vote.¹⁰³ Any voter in line when the polls close must be allowed to vote. See [Question 18](#).

67. **EQUIPMENT FAILURE:** What should I do if there are equipment problems at my precinct?

Voters should immediately notify the election officers if the voting equipment breaks down. If one ballot scanner is broken, voters should be directed to use any other operational ballot scanner in the polling place. If all scanners are non-operational, completed ballots must be secured by bipartisan poll workers until the scanners are fixed. These ballots will be scanned by bipartisan poll workers once the scanners are operative, or after the close of polls by bipartisan officials. If the problem cannot be fixed in a timely manner, a voter should ask if an emergency paper ballot is available. If voting equipment is not functional, contact local elections officials to attempt to resolve the issue.

Emergency ballots shall be used if: there are equipment problems; official ballots are not delivered, or are lost, destroyed, or stolen; or if the supply of official ballots runs out. The inspectors of elections may (but are not required) to use emergency paper ballots during the first hour of a breakdown. If all machines are broken down for more than one hour, inspectors of elections are required to use emergency paper ballots. Emergency ballots are different from affidavit (provisional) ballots.

68. **CAMPAIGNING:** What rules apply to people campaigning or "hanging around" my polling place? What counts as campaigning or electioneering? Can people approach me?

While the polls are open, no person shall do any electioneering within the polling place, or in any public street, within a 100 foot radial measured from the entrances designated by the inspectors of election, to such polling place or within such distance in any place in a public manner; and no political banner, button, poster or placard shall be allowed in or upon the polling place or within such one hundred foot radial.¹⁰⁴ Within the polling place and the 100 foot radial of the polling place, voters may not be approached or otherwise campaigned by or on behalf of any candidate. Election Protection monitors are not campaigners.

Electioneering is limited to campaigning for or against particular candidates, parties, or ballot issues. Electioneering activities can include wearing a shirt promoting a particular candidate on the ballot, the display of campaign posters or signs, or the distribution of campaign materials.¹⁰⁵

¹⁰³ N.Y. Elec. Law § 8-104(5).

¹⁰⁴ N.Y. Elec. Law § 8-104; *see also* N.Y. Elec. Law § 17-130.

¹⁰⁵ N.Y. Elec. Laws § 8-104(1).

69. **VOTER CONDUCT:** What am I prohibited from wearing or doing in a polling place? Can I take photos inside?

Voters may not wear political attire, stickers, or buttons to the polls.¹⁰⁶ Political attire means clothing or accessories which promote a particular candidate, party, or ballot issue. Voters are not permitted to take photographs or videos of their completed ballot inside their polling place.¹⁰⁷

70. **POLL WORKER CONDUCT:** What is a poll worker prohibited from wearing or doing in a polling place?

In addition to the general restrictions on electioneering (see [Question 68](#)), a poll worker must not (i) reveal to another person the name of any candidate for whom a voter has voted, (ii) communicate their opinion, belief or impression to any person about how or for whom a voter has voted, (iii) mark a ballot in any way that makes it distinguishable from other ballots, and (iv) open any ballot before the close of the polls.¹⁰⁸

71. **INTIMIDATION:** Are there any other specific restrictions on conduct outside of a polling place? What should I do if I feel unsafe or uncomfortable outside the polling place?

It is a crime under New York¹⁰⁹ and federal law¹¹⁰ to engage in acts of intimidation, deception, or obstruction that affects a person's voting rights.

Examples of voter intimidation include, but are not limited to:

- Individuals or groups patrolling outside of polling places and trying to scare people out of the voting line;
- Civilians dressing as law enforcement officers and harassing voters at poll sites;
- Poll watchers inside a polling place aggressively challenging substantial numbers of voters, or targeting voters of a specific demographic for challenges, leading to long lines and creating false fears that voters may be illegally voting;
- Poll watchers standing in the vicinity of privacy booths; standing in unauthorized areas; videotaping and/or photographing voters within the polling place; following or harassing voters in the polling place;
- Individuals spreading false rumors or making false statements that there are negative consequences to voting; or
- Individuals or groups displaying weapons or foreign military uniforms or other military paraphernalia outside of polling locations.¹¹¹

If a voter reports any potential voter intimidation, first, instruct them to get to a safe location. Once the voter has confirmed they are safe, ask the voter to provide as many details as they can about the situation.

¹⁰⁶ N.Y. Elec. Law § 17-130(4).

¹⁰⁷ N.Y. Elec. Law § 17-130.

¹⁰⁸ N.Y. Elec. Law § 17-126.

¹⁰⁹ N.Y. Elec. Law § 17-150; N.Y. Elec. Law § 17-212.

¹¹⁰ 18 U.S.C. § 594; see also 52 U.S.C. § 10101(b); 52 U.S.C. § 10307(b); 42 U.S.C. § 1985(3).

¹¹¹ [October 28, 2022 VIA EMAIL Dear Colleague: The New York State Office of the Attorney General \("NYAG"\) is committed to protect.](#)

72. **CHALLENGE:** Someone is formally challenging my vote. What should I do?

Challenge at the Polling Place: A voter’s qualification to vote may be challenged by an inspector or clerk, any duly appointed watcher, or by any registered voter properly in the polling place.¹¹²

If a voter’s qualification to vote is challenged, *they may still vote a regular ballot if the voter can complete the oaths required of them.* NOTE: A common administrative error occurs when a voter is challenged and the poll worker erroneously directs the voter to complete an affidavit (provisional) ballot. The correct procedure in the event of a lawful challenge at the polls is as follows: An election officer should ask the voter to take the “preliminary oath,” requiring them to fully and truthfully answer questions regarding their qualifications to vote.¹¹³ At this point, they should be allowed to vote *a regular ballot*, unless the voter refuses to answer the officer’s questions fully or the officer finds any of the voter’s answers deficient.¹¹⁴

If the officer finds any of the voter’s answers deficient, then the officer should have the voter take, as applicable, the “Qualification Oath,” that has the voter swear to their qualifications to vote, the “Bribery Oath,” that has the voter swear that they have not received any compensation for their vote, or the “Incompetency Vote,” that has the voter swear that there is no current order from any court adjudging such voter incompetent to vote.¹¹⁵

Regardless of the grounds, if the voter completes the oaths administered to them, the voter is entitled to *vote a regular ballot.*¹¹⁶

Challenge of Early Mail, Absentee, Military, Special Federal or Special Presidential Ballot: An early mail, absentee, military, special federal and special presidential ballot may be challenged by an inspector, any duly appointed watcher, or by any registered voter properly in the polling place.¹¹⁷

The ballot **may be** challenged on the basis that: (a) the voter was not eligible to vote, (b) the voter was not entitled to cast an early mail, absentee, military, special federal or special presidential ballot, (c) the signature on the ballot envelope does not correspond to the signature on the registration poll record, or (d) the voter died before Election Day.¹¹⁸

A challenge to an early mail ballot **may not** be made on the basis that the voter should have applied for an absentee ballot.¹¹⁹ A challenge to an absentee ballot **may not** be made on the basis that the voter should have applied for an early mail ballot.¹²⁰

If a voter’s ballot is challenged, the ballot will be counted unless a majority of the board inspectors vote to sustain the challenge.¹²¹

¹¹² N.Y. Elec. Law § 8-502.

¹¹³ N.Y. Elec. Law § 8-504(1).

¹¹⁴ N.Y. Elec. Law § 8-504(2).

¹¹⁵ N.Y. Elec. Law § 8-504(3).

¹¹⁶ N.Y. Elec. Law § 8-504(6).

¹¹⁷ N.Y. Elec. Law § 8-506(1).

¹¹⁸ N.Y. Elec. Law § 8-506(1).

¹¹⁹ *Id.*

¹²⁰ *Id.*

¹²¹ N.Y. Elec. Law § 8-506(2)-(3).

73. **POLICE/MILITARY PRESENCE:** There are police/members of the military at the polling place. Is this okay? What should I do?

During primary, general, special and community school board elections, New York law requires the presence of at least one police officer at every polling location in New York City.¹²²

74. **THOUGHT WAS REGISTERED:** My name isn't on the voter registration roll but I thought I was registered. What should I do?

- **If the voter is in New York City:** Verify that the voter is registered in this election and at the correct polling place by checking [Find Your Poll Site | NYC Board of Elections](#).
- **If the voter is outside of New York City:** Use the Get to the Polls tool at [Voter Lookup](#).

A voter can only be removed from the voter registration rolls if:

- The voter has moved outside the state;
- The voter is convicted of a felony which disqualifies them from voting (i.e., is currently incarcerated).
- The voter has been adjudged incompetent;
- The voter has refused to take a challenge oath;
- The voter has died;
- The voter has personally asked to have their name removed from the list of registered voters;
- The voter is otherwise no longer qualified to vote; or
- The voter did not vote in the last two federal General Elections when the voter was in inactive status, and the board of elections did not receive any information that the voter still resided in the same county or city; or
- The voter has allegedly moved away from their address of registration and goes through New York's list maintenance procedure pursuant to Section 8(d) of the National Voter Registration Act, which involves being sent a confirmation notice in the mail, not responding to that confirmation, and failing to vote or contact election officials within the next two federal General Election cycles.

A voter whose name was removed for any of the above reasons, but is eligible to vote, must re-register or apply to a court of law for restatement to have their name restored to the statewide voter registration system. The voter can cast an affidavit ballot to have their name restored to the voter rolls. A completely filled out affidavit ballot will serve as a voter registration form for future elections.¹²³

75. **PROVISIONAL BALLOT:** I have been offered a provisional (an affidavit) ballot. What should I do?

See info in the [How to Vote: Election Day](#) Section.

A voter should be offered an affidavit (provisional) ballot only when:

- The voter's name does not appear on the voter rolls and their eligibility to vote cannot otherwise be established;

¹²² N.Y. Elec. Law § 8-104.

¹²³ N.Y. Elec. Law § 5-400

- The voter’s eligibility to vote has been challenged by a poll watcher or another voter *and the voter has refused* to take the administered challenge oath;
- A first-time voter has not produced appropriate identification either when registering or at the polls;
- A voter who has already been issued an absentee or early mail ballot (according to the records of the board of elections) appears in-person to vote during early voting or Election Day.

Otherwise, the voter should be able to cast a regular ballot. An affidavit ballot should be a last resort. However, every person who believes they are entitled to vote and who is not on the voter rolls is entitled to an affidavit ballot. If used, a poll worker must then provide the voter with a phone number or website to check whether the affidavit ballot was counted.

ACCESSIBILITY/ASSISTANCE

76. EQUIPMENT ASSISTANCE: I don’t know how to use the voting equipment. Can I get help?

Yes. Upon request, voters are entitled to receive instructions from a poll worker on how to use the voting equipment.¹²⁴

Voters who would like information about using the machines in their county can find information about their county’s equipment by contacting their county board of elections.

77. PHYSICAL DISABILITY: I have a physical disability and need assistance. Is my polling place ADA compliant? Does my voting location have an accessible voting system?

Federal and New York law require that each polling place be accessible to voters with disabilities.¹²⁵ Additionally, at least one voting machine in each polling place must be accessible to persons with disabilities.¹²⁶ A voter with a physical disability whose polling place is located in a building that is not accessible is also entitled to vote in any other election district at a polling place located in a building which is accessible.¹²⁷

78. READING/LANGUAGE ASSISTANCE: I am blind, have a physical disability, or cannot read English and require assistance in order to vote. Can I get assistance at the polls?

Yes. A voter requiring assistance at the polls for any of these reasons can take a person of their own choice (excluding an employer, an agent of an employer, or an officer or agent of their union), or two election inspectors of different political parties, into the voting booth to help them understand and cast a ballot.¹²⁸

¹²⁴ See N.Y. Elec. Law § 8-306(7).

¹²⁵ See N.Y. Elec. Law § 4-104(1-a); Help America Vote Act, 52 U.S.C.A. § 21081(a)(3).

¹²⁶ N.Y. Elec. Law § 7-202(2); see also Help America Vote Act, 52 U.S.C.A. § 21081(a)(3).

¹²⁷ N.Y. Elec. Law § 5-601(1).

¹²⁸ N.Y. Elec. Law § 8-306; see also 52 U.S.C.A. § 10508.

Under Section 203 of the Voting Rights Act, several counties/boroughs are required to provide ballots and other voting materials in Spanish, Chinese, Korean and/or Bengali.¹²⁹ Many polling places in counties that are required to provide ballots in Spanish, Korean, Bengali and/or Chinese may have translators available to assist voters.

79. LANGUAGE ACCESS: I am not an English speaker. What language resources are available? Can I bring someone in the booth to help me understand the ballot?

A voter who is not an English speaker can take a person of their own choice (excluding an employer, an agent of an employer, or an officer or agent of their union), or two election inspectors of different political parties, into the voting booth to help them understand and cast a ballot.¹³⁰

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80. CURBSIDE VOTING: Is curbside voting available? How do I request it?

New York does not provide curbside voting; however, voters can drop off their early mail ballots or absentee ballots at their county board of elections office, any early voting poll site in their county, or any Election Day poll site in their county.

81. VOTER GUIDE: Can I bring a voting guide or reference notes with me into the voting booth?

There are no explicit restrictions on materials that can be brought into a voting booth.

Please note that there is a prohibition on displaying election-related materials at the polls. This includes clothing and buttons as well as materials such as pamphlets, fliers and stickers. No one can display such items in the polling place or within 100 feet of an entrance to a polling place. If a voter goes to the polls with clothing, pamphlets or any item bearing election-related images or slogans, the voter will be asked to cover or remove it. See [Questions 68](#) and [69](#).

STATE SPECIFIC SUPPLEMENT

82. QUESTIONS: Who should I contact if I have questions about any of the above?

The county boards of elections can be contacted to provide assistance on many questions. Their websites include phone contacts for specific types of questions, as well as FAQs and other information about polling places, registration, early and absentee voting and other issues. The New York State Board of Elections website also includes a lot of useful information, as well as links to the county sites.

¹²⁹ 52 U.S.C.A. § 10503; [Language Access | New York State Attorney General](#) (last visited June 10, 2024).

¹³⁰ N.Y. Elec. Law § 8-306.

¹³¹ 52 U.S.C.A. § 10503; [Language Access | New York State Attorney General](#) (last visited June 10, 2024).