

BY: Ways and Means Committee

**AMENDMENTS TO SENATE BILL 163**  
(Third Reading File Bill)

**AMENDMENT NO. 1**

On page 2, in lines 11, 12, 15, 17, 30, and 31, in each instance, strike the bracket; in line 16, strike “**VOTE**”; in line 28, strike the first set of brackets; and in line 30, strike “the absentee ballot count or”.

On page 3, strike beginning with “**AFTER**” in line 12 down through “**SECTION**” in line 13 and substitute “**PROMPTLY AFTER RECEIPT OF AN ABSENTEE BALLOT**”; in line 16, after “**SUBSECTION**” insert “**AND EXCEPT AS PROVIDED IN SUBSECTION (A)(2) OF THIS SECTION**”; and in line 17, strike “envelope of an”.

**AMENDMENT NO. 2**

On page 3, in line 23, strike “**RELEASE**” and substitute “**TABULATE**”; and in the same line, after “**BEFORE**” insert “**THE POLLS CLOSE ON**”.

**AMENDMENT NO. 3**

On page 4, in line 24, strike “**MOBILE TELEPHONE OR**”; in the same line, after “**E-MAIL**” insert “**OR, BEGINNING JUNE 1, 2023, MOBILE TELEPHONE,**”; strike beginning with “**TEXT**” in line 30 down through “**B.**” in line 31; and in line 32, strike “**C.**” and substitute “**B.**”.

On pages 4 and 5, strike beginning with “**AN**” in line 32 on page 4 down through “**D.**” in line 1 on page 5.

On page 5, in line 1, strike “**AND**”; in line 2, strike “**E.**” and substitute “**C.**”; and in the same line, after “**OFFICE**” insert “**; AND**”

**D. BEGINNING JUNE 1, 2023, TEXT MESSAGE AND AN ACCESSIBLE ONLINE PORTAL”.**

**AMENDMENT NO. 4**

On page 5, strike in their entirety lines 3 through 7, inclusive; in lines 8 and 10, strike “(6)” and “(7)”, respectively, and substitute “(5)” and “(6)”, respectively; in line 25, after “application;” insert “OR”; and strike beginning with the first “the” in line 26 down through “(iv)” in line 27.

On page 6, strike in their entirety lines 13 through 28, inclusive, and substitute:

**“IF A LOCAL BOARD RECEIVES MORE THAN ONE BALLOT, IN SEPARATE ENVELOPES, FROM THE SAME INDIVIDUAL, THE LOCAL BOARD SHALL:**

**(1) COUNT THE FIRST BALLOT FROM THE INDIVIDUAL THAT IS DETERMINED TO BE LEGALLY SUFFICIENT; AND**

**(2) REJECT ANY OTHER BALLOT.”.**

**AMENDMENT NO. 5**

On page 7, in line 10, after “under” insert “SUBSECTION (A) OF”; after line 24, insert:

**“SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding § 11–302(b)(3) of the Election Law Article, as enacted by Section 1 of this Act, only during the 2022 statewide primary election, a local board or an employee of a local board:**

**(1) may tabulate absentee ballot vote totals before the polls close on election day; and**

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(2)      may not release absentee ballot vote totals before the polls close on election day.”;

and in line 25, strike “2.” and substitute “3.”.