

4270

2013-2014 Regular Sessions

I N   S E N A T E

March 18, 2013

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Introduced by Sens. TKACZYK, STEWART-COUSINS, ADDABBO, BRESLIN, CARLUC-  
CI, DILAN, ESPAILLAT, GIPSON, HASSELL-THOMPSON, HOYLMAN, KRUEGER,  
LATIMER, LAVALLE, MONTGOMERY, O'BRIEN, PARKER, RIVERA, SAMPSON,  
SANDERS, SERRANO, SQUADRON, STAVISKY -- read twice and ordered print-  
ed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to voter affidavits

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Subparagraph (ii) of paragraph (e) of subdivision 3 of  
2     section 8-302 of the election law, as amended by chapter 164 of the laws  
3     of 2010, is amended to read as follows:  
4     (ii) He or she may swear to and subscribe an affidavit stating that he  
5     or she has duly registered to vote, the address in such election  
6     district from which he or she registered, that he or she remains a duly  
7     qualified voter in such election district, that his or her registration  
8     poll record appears to be lost or misplaced or that his or her name  
9     and/or his or her signature was omitted from the computer generated  
10    registration list or that he or she has moved within the county or city  
11    since he or she last registered, [the address from which he or she was  
12    previously registered and] the address at which he or she currently  
13    resides, and at a primary election, the party in which he or she is  
14    enrolled. The inspectors of election shall offer such an affidavit to  
15    each such voter whose residence address is in such election district.  
16    Each such affidavit shall SUBSTANTIALLY COMPLY WITH AND be in a form  
17    prescribed by the state board of elections, shall be printed on an  
18    envelope of the size and quality used for an absentee ballot envelope,  
19    and shall contain an acknowledgment that the affiant understands that  
20    any false statement made therein is perjury punishable according to law.  
21    Such form prescribed by the state board of elections shall request  
22    information required to register such voter should the county board  
23    determine that such voter is not registered and shall constitute an

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

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1 application to register to vote. The voter's name and the entries  
2 required shall then be entered without delay and without further inquiry  
3 in the fourth section of the challenge report or in the place provided  
4 at the end of the computer generated registration list, with the nota-  
5 tion that the voter has executed the affidavit hereinabove prescribed,  
6 or, if such person's name appears on the computer generated registration  
7 list, the board of elections may provide a place to make such entry next  
8 to his or her name on such list. The voter shall then, without further  
9 inquiry, be permitted to vote an affidavit ballot provided for by this  
10 chapter. Such ballot shall thereupon be placed in the envelope contain-  
11 ing his or her affidavit, and the envelope sealed and returned to the  
12 board of elections in the manner provided by this chapter for protested  
13 official ballots, including a statement of the number of such ballots.  
14 S 2. This act shall take effect immediately.