

STATE OF NEW YORK

5073

2019-2020 Regular Sessions

IN SENATE

April 8, 2019

Introduced by Sen. MAYER -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to establishing a school voter registration access program for students in grades ten, eleven, and twelve; and to amend the election law, in relation to providing for a school voter registration access program for students in grades ten, eleven, and twelve

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The education law is amended by adding a new article 25 to
2 read as follows:

ARTICLE 25

SCHOOL VOTER REGISTRATION ACCESS

Section 1301. School voter registration access.

6 § 1301. School voter registration access. 1. Each school district,
7 board of cooperative educational services, charter school, and non-publ-
8 ic school shall adopt a policy to promote student voter registration and
9 pre-registration days pursuant to chapter two of the laws of two thou-
10 sand nineteen. Such policy shall, in accordance with the provisions of
11 this article, require all schools operated by such school districts,
12 boards of cooperative educational services, charter schools, and non-
13 public schools serving any or all of grades ten, eleven, and twelve to
14 conduct at least ten voter registration and pre-registration days during
15 the school year for the purposes of educating students about the voting
16 enrollment process and providing eligible students with the opportunity
17 to register or pre-register to vote as applicable. Such policy may
18 include collaboration with county and local boards of elections to
19 conduct voter registration and pre-registration in any school serving
20 any or all of grades ten, eleven, and twelve. Completion and submission
21 of voter registration or pre-registration forms shall not be a course
22 requirement or graded assignment for students.

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

LBD09318-10-9

1 2. Voter registration and pre-registration days shall be conducted
2 during the school year with at least three voter registration and pre-
3 registration days held between the start of school in session and no
4 later than ten school days prior to the day of the general election and
5 at least three voter registration and pre-registration days shall be
6 held between January first of such school year and no later than ten
7 school days prior to the day of the primary election. Each school serv-
8 ing any or all of grades ten, eleven, and twelve shall collect submitted
9 voter registration and pre-registration application forms and provide
10 for the transmittal of all such completed applications to the appropri-
11 ate board of elections not later than seven calendar days prior to the
12 general election or primary election, as applicable.

13 3. Each voter registration and pre-registration day shall take place
14 at locations and times to ensure that students eligible to register or
15 pre-register to vote have reasonable access to the registration and
16 pre-registration process. Schools may engage an outside organization to
17 hold such voter registration and pre-registration days, allow students
18 to participate in or conduct the voter registration and pre-registration
19 days, or conduct the voter registration and pre-registration days with
20 school resources.

21 4. Each such voter registration and pre-registration day shall be
22 conducted in accordance with the rules, regulations and practices of the
23 state board of elections and shall comply with the requirements of
24 section 5-212-a of the election law.

25 5. Each school district, board of cooperative educational services,
26 charter school, and non-public school operating one or more schools
27 serving any or all of grades ten, eleven, and twelve shall, prior to
28 January fifteenth of each year, provide a list of all such schools oper-
29 ated thereby to the state board of elections.

30 § 2. Section 1604 of the education law is amended by adding a new
31 subdivision 45 to read as follows:

32 45. To conduct voter registration and pre-registration days in accord-
33 ance with the provisions of article twenty-five of this chapter.

34 § 3. Section 1709 of the education law is amended by adding a new
35 subdivision 43 to read as follows:

36 43. To conduct voter registration and pre-registration days in accord-
37 ance with the provisions of article twenty-five of this chapter.

38 § 4. Subdivision 4 of section 1950 of the education law is amended by
39 adding a new paragraph pp to read as follows:

40 pp. Conduct voter registration and pre-registration days in accordance
41 with the provisions of article twenty-five of this chapter.

42 § 5. Section 2503 of the education law is amended by adding a new
43 subdivision 21 to read as follows:

44 21. Shall conduct voter registration and pre-registration days in
45 accordance with the provisions of article twenty-five of this chapter.

46 § 6. Section 2554 of the education law is amended by adding a new
47 subdivision 28 to read as follows:

48 28. Shall conduct voter registration and pre-registration days in
49 accordance with the provisions of article twenty-five of this chapter.

50 § 7. Section 2590-h of the education law is amended by adding a new
51 subdivision 55 to read as follows:

52 55. Conduct voter registration and pre-registration days in accordance
53 with the provisions of article twenty-five of this chapter.

54 § 8. Section 2590-h of the education law is amended by adding a new
55 subdivision 39 to read as follows:

1 39. Conduct voter registration and pre-registration days in accordance
2 with the provisions of article twenty-five of this chapter.

3 § 9. Subdivision 3 of section 2854 of the education law is amended by
4 adding a new paragraph (e) to read as follows:

5 (e) The board of trustees of a charter school shall conduct voter
6 registration and pre-registration days in accordance with the provisions
7 of article twenty-five of this chapter.

8 § 10. The election law is amended by adding a new section 5-212-a to
9 read as follows:

10 § 5-212-a. Voter registration in schools. 1. In addition to any other
11 method of voter registration or pre-registration provided for in this
12 article, any qualified person may apply for registration, or pre-regis-
13 tration, and enrollment by application submitted during voter registra-
14 tion and pre-registration in accordance with the provisions of this
15 section and section thirteen hundred one of the education law.

16 2. In accordance with section 5-507 of this article the state board of
17 elections shall adopt such rules and regulations as may be necessary to
18 carry out the requirements of this section. The state board of elections
19 shall:

20 (a) prepare written instructions as to the implementation of the
21 school voter registration and pre-registration access program, under
22 section thirteen hundred one of the education law. Such written
23 instructions shall provide information regarding eligibility to register
24 and pre-register to vote, contain instructions for completing the appro-
25 priate form, and require that students be provided with the following:

26 (i) the question, "If you are not registered to vote, would you like
27 to apply to register here today?";

28 (ii) the statement, "If you would like help in filling out the voter
29 registration application form, we will help you. The decision whether to
30 seek or accept help is yours. You may fill out the application form in
31 private.";

32 (iii) the statement, "If you believe that someone has interfered with
33 your right to register or decline to register to vote, your right to
34 privacy in deciding whether to register or in applying to register to
35 vote, or your right to choose your own political party or other poli-
36 tical preference, you may file a complaint with the state board of
37 elections (address and toll free telephone number)."; and

38 (iv) a toll free number at the state board of elections that can be
39 called for answers to registration questions.

40 (b) establish training programs for individuals conducting the school
41 voter registration access program pursuant to article twenty-five of the
42 education law;

43 (c) provide a toll free telephone number at the state board of
44 elections that can be called to answer registration questions; and

45 (d) distribute public information, promotional materials including
46 information for students of the existence of voter registration and
47 pre-registration services, and voter registration and pre-registration
48 application forms for use pursuant to this section relating to the
49 purposes and implementation of the school voter registration access
50 program to county boards of election for distribution to such schools
51 identified pursuant to subdivision five of section thirteen hundred one
52 of the education law prior to February first of each year informing
53 students of the existence of voter registration and pre-registration
54 services provided pursuant to the school voter registration access
55 program.

1 3. Any prospective applicant receiving an application to register
2 pursuant to this section may elect to fill out the application privately
3 and return the application to the board of elections himself or herself.

4 4. No person participating in the school voter registration access
5 program shall:

6 (a) seek to influence an applicant's political preference or party
7 designation;

8 (b) display any political preference or party allegiance;

9 (c) make any statement to an applicant or take any action the purpose
10 or effect of which is to discourage the applicant from registering to
11 vote; or

12 (d) make any statement to an applicant or take any action the purpose
13 or effect of which is to lead the applicant to believe that a decision
14 to register or not to register has any bearing on his or her standing
15 within the school.

16 5. Strict neutrality with respect to a person's party enrollment shall
17 be maintained. No statement shall be made nor any action taken to
18 discourage the applicant from registering to vote.

19 6. Disclosure of voter registration information, including a declina-
20 tion to register, by any person during voter registration and pre-regis-
21 tration at a school for other than voter registration or pre-registra-
22 tion purposes, shall be deemed an unwarranted invasion of personal
23 privacy and shall constitute a violation of this chapter.

24 7. Applications shall be processed by the board of elections in the
25 manner prescribed by section 5-210 of this title or, if the applicant is
26 already registered to vote from another address in the county or city,
27 in the manner prescribed by section 5-208 of this title. The board shall
28 send the appropriate notice of approval or rejection to the applicant as
29 required by either subdivision nine of section 5-210 or subdivision five
30 of section 5-208 of this title.

31 § 11. This act shall take effect on the first of January next succeed-
32 ing the date upon which it shall have become a law and shall apply to
33 all school years commencing on and after such effective date provided,
34 however, that the amendments to section 2590-h of the education law made
35 by section seven of this act shall not affect the expiration and rever-
36 sion of such section, when upon such date the provisions of section
37 eight of this act shall take effect. Effective immediately the addition,
38 amendment and/or repeal of any rule or regulation necessary for the
39 implementation of this act on its effective date are authorized to be
40 made on or before such date.