NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

January 12, 2026

3:40 p.m.

REGULAR SESSION

LIEUTENANT GOVERNOR ANTONIO DELGADO, President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

THE PRESIDENT: The Senate will come to order.

I ask everyone to please rise and say the Pledge of Allegiance.

(Whereupon, the assemblage recited the Pledge of Allegiance to the Flag.)

THE PRESIDENT: In the absence of clergy, let us bow our heads in a moment of silent reflection or prayer.

(Whereupon, the assemblage respected a moment of silence.)

THE PRESIDENT: Reading of the Journal.

THE SECRETARY: In Senate, Sunday, January 11, 2026, the Senate met pursuant to adjournment. The Journal of Saturday, January 10, 2026, was read and approved. On motion, the Senate adjourned.

THE PRESIDENT: Without objection, the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good afternoon, Mr. President.

THE PRESIDENT: Good afternoon.

SENATOR GIANARIS: We're going to begin by calling two committees back to back.

First there will be an immediate meeting of the Elections Committee in Room 332, and that will be followed immediately thereafter by a meeting of the Rules Committee in the same room.

THE PRESIDENT: There will be an immediate meeting of the Elections Committee in Room 332, followed by a meeting of the Rules Committee in Room 332.

SENATOR GIANARIS: The Senate will stand at ease.

THE PRESIDENT: The Senate will stand at ease.

(Whereupon, the Senate stood at ease at 3:41 p.m.)

(Whereupon, the Senate reconvened at 4:07 p.m.)

THE PRESIDENT: The Senate will return to order.

Senator Gianaris.

SENATOR GIANARIS: Mr. President, there's a report of the Rules Committee at the desk. Please take that up.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Senator Stewart-Cousins, from the Committee on Rules, reports the following bills:

Senate Print 324, by Senator Gianaris, an act to amend the Election Law;

Senate Print 568, by Senator May, an act to amend the Election Law;

Senate Print 1035, by Senator Myrie, an act to amend the Election Law;

Senate Print 1036, by Senator Myrie, an act to amend the Election Law;

Senate Print 1085, by Senator Stewart-Cousins, an act to amend the Election Law;

Senate Print 8604, by Senator Skoufis, an act to amend the Election Law;

Senate Print 8646A, by Senator Gonzalez, an act to amend the Election Law;

Senate Print 8752, by Senator Scarcella-Spanton, an act to amend the Labor Law;

Senate Print 8753, by Senator Ramos, an act to amend the Public Authorities Law;

Senate Print 8754, by Senator Kavanagh, an act to amend a chapter of the Laws of 2025;

Senate Print 8755, by Senator Rivera, an act to amend the Public Health Law;

Senate Print 8756, by Senator Rivera, an act to amend a chapter of the Laws of 2025;

Senate Print 8757, by Senator Fernandez, an act to amend the Public Health Law;

Senate Print 8761, by Senator Comrie, an act to amend the Real Property

Actions and Proceedings Law;

Senate Print 8762, by Senator Hinchey, an act to amend the Criminal Procedure Law;

Senate Print 8764, by Senator Hinchey, an act to amend the Public Service Law;

Senate Print 8767, by Senator Serrano, an act to amend the Parks, Recreation and Historic Preservation Law;

Senate Print 8768, by Senator Bailey, an act to amend the Real Property Law;

Senate Print 8772, by Senator Bailey, an act to amend the Insurance Law;

Senate Print 8774, by Senator Ramos, an act to amend the Labor Law;

Senate Print 8778, by Senator Brisport, an act to amend the Social Services Law;

Senate Print 8781, by Senator Weber, an act to amend a chapter of the Laws of 2025;

Senate Print 8782, by Senator Martinez, an act to amend the

Real Property Tax Law;

Senate Print 8783, by Senator Harckham, an act to amend a chapter of the Laws of 2025;

Senate Print 8787, by Senator Addabbo, an act to amend the Racing, Parimutuel Wagering and Breeding Law;

Senate Print 8790, by Senator Scarcella-Spanton, an act to amend the Real Property Tax Law;

Senate Print 8795, by Senator Comrie, an act to amend the Workers' Compensation Law;

Senate Print 8798, by Senator Krueger, an act to amend the Domestic Relations Law;

Senate Print 8800, by Senator Bailey, an act to amend the Insurance Law;

Senate Print 8802, by Senator Cleare, an act to amend the Public Health Law;

Senate Print 8803, by Senator Addabbo, an act to amend the Real Property Tax Law;

Senate Print 8804, by Senator Rivera, an act to amend the Public Health Law;

Senate Print 8806, by Senator Mayer, an act to amend the Public Health Law;

Senate Print 8807, by Senator Krueger, an act to amend the Insurance Law;

Senate Print 8810, by Senator Comrie, an act to amend the Vehicle and Traffic Law;

Senate Print 8812, by Senator Krueger, an act to amend a chapter of the Laws of 2025;

Senate Print 8814, by Senator Fahy, an act to amend the Public Health Law;

Senate Print 8818, by Senator May, an act to amend the State Finance Law;

Senate Print 8820, by Senator Ryan, an act to amend the Public Service Law;

Senate Print 8821, by Senator Sutton, an act to amend the Administrative Code of the City of New York;

Senate Print 8822, by Senator May, an act to amend the Labor Law;

Senate Print 8823, by Senator Harckham, an act to amend the Environmental Conservation Law;

Senate Print 8824, by Senator Fahy, an act to amend the General Business Law;

Senate Print 8825, by Senator Salazar, an act to amend the Correction Law;

Senate Print 8827, by Senator Gounardes, an act to amend a chapter of the Laws of 2025;

Senate Print 8831, by Senator Gonzalez, an act to amend the State Technology Law;

Senate Print 8832, by Senator Kavanagh, an act to amend the Environmental Conservation Law;

Senate Print 8834, by Senator Baskin, an act to amend the Indian Law;

Senate Print 8835, by Senator Rivera, an act to amend the Public Health Law.

All bills reported direct to third reading.

SENATOR GIANARIS: Move to accept

the report of the Rules Committee.

THE PRESIDENT: All those in favor of accepting the report of the Rules Committee please signify by saying aye.

(Response of "Aye.")

THE PRESIDENT: Opposed, nay.

(No response.)

THE PRESIDENT: The report of the Rules Committee is accepted.

Senator Gianaris.

SENATOR GIANARIS: At this time let's take up the supplemental calendar, please.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: Calendar Number 1, Senate Print 324, by Senator Gianaris, an act to amend the Election Law.

SENATOR LANZA: Lay it aside.

THE PRESIDENT: Lay it aside.

THE SECRETARY: Calendar Number 2, Senate Print 568, by Senator May, an act to amend the Election Law.

SENATOR LANZA: Lay it aside.

THE PRESIDENT: Lay it aside.

THE SECRETARY: Calendar Number 3,

Senate Print 1035, by Senator Myrie, an act to amend the Election Law.

SENATOR LANZA: Lay it aside.

THE PRESIDENT: Lay it aside.

THE SECRETARY: Calendar Number 4, Senate Print 1036, by Senator Myrie, an act to amend the Election Law.

SENATOR LANZA: Lay it aside.

THE PRESIDENT: Lay it aside.

THE SECRETARY: Calendar Number 5, Senate Print 1085, by Senator Stewart-Cousins, an act to amend the Election Law.

(Pause.)

SENATOR LANZA: (Gesturing.)

THE PRESIDENT: I didn't hear you.

Lay it aside.

(General commotion.)

THE PRESIDENT: Oh, he didn't say it. We didn't hear you. I didn't hear you.

(Laughter.)

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 5. This act shall take effect immediately.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: Ayes, 59.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 6, Senate Print 8604, by Senator Skoufis, an act to amend the Election Law.

THE PRESIDENT: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Senator Skoufis to explain your vote.

SENATOR SKOUFIS: Thank you very much, Mr. President.

Mr. President, I love Iowa as much as the next person. But the reason why so many presidential contenders and presidents and U.S. senators and others who want to be president talk about ethanol is because Iowa is at the front and has been at the front of the primary calendar for a long time.

Their state's issues have been elevated by virtue of being at the front of the calendar. What we are proposing to do here today is the same for New York.

For a very long time, almost 20 years -- and for most of presidential politics here in New York -- we have been at the back of the primary calendar. By the time these primaries get to New York, they are either practically done or mathematically done.

What this bill would do is -- and how wonderful would this be -- have presidential contenders spending days and weeks here in our communities in our Senate districts, spending millions of dollars on ad buys and political organizing in our local economies, elevating our issues and speaking to our voters seeking to earn their vote.

As it stands right now, the only time presidential candidates come to New York is they fly in in the morning, they go to a corporate boardroom or a Manhattan penthouse in the afternoon to raise big bucks, and they fly out to some other state by the evening.

This puts us front and center with a

number of other states on Super Tuesday. It makes us relevant in the nominating process.

And it's also important to note that here in New York we have a really reflective blend of urban and suburban and rural communities, and we have a racial demographic that almost mirrors what that demographic is nationally.

And so I am thankful to my colleagues who are supporting this bill. I'm thankful to the leader for helping bring this to the floor.

And I look forward to this bill hopefully being enacted and, several years from now, New York being relevant.

Thank you.

THE PRESIDENT: Senator Skoufis to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 52. Nays, 7.

THE PRESIDENT: The bill is passed.

(Off the record.)

THE SECRETARY: In relation to Calendar 6, voting in the negative are Senators Chan, Helming, O'Mara, Palumbo, Walczyk,

Weber and Weik.

Ayes, 52. Nays, 7.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 7, Senate Print 8646A, by Senator Gonzalez, an act to amend the Election Law.

SENATOR LANZA: Lay it aside.

THE PRESIDENT: Lay it aside.

Senator Gianaris, that completes the reading of the supplemental calendar.

SENATOR GIANARIS: Let's go to the controversial calendar, please.

THE PRESIDENT: The Secretary will ring the bell.

The Secretary will read.

THE SECRETARY: Calendar Number 1, Senate Print 324, by Senator Gianaris, an act to amend the Election Law.

THE PRESIDENT: Senator Walczyk, why do you rise?

SENATOR WALCZYK: Mr. President, I hope the sponsor would yield for a couple of questions.

THE PRESIDENT: Will the sponsor yield?

SENATOR GIANARIS: Yes.

THE PRESIDENT: The sponsor yields.

SENATOR WALCZYK: Through you, Mr. President. Why is this bill needed?

SENATOR GIANARIS: First of all, Happy New Year, Senator Walczyk and all my colleagues.

I will point out that today is Monday, so we're slightly out of order for Walczyk Wednesday. But nonetheless, we will proceed.

The bill is necessary because we are attempting to curtail foreign influence from having an impact on the U.S. electoral process. We're at a point in time where foreign governments are known to be attempting to meddle. And certainly the ability to influence political spending by foreign control, to foreign influence corporate entities, is a vehicle that could be used to do that.

So we are trying, as other jurisdictions have done, to rein that in.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield?

THE PRESIDENT: Does the sponsor yield?

SENATOR GIANARIS: Yes.

THE PRESIDENT: The sponsor yields.

SENATOR WALCZYK: Foreign nationals are already prohibited from donating to campaigns in the United States and certainly in New York, aren't they?

SENATOR GIANARIS: Yes, that's correct.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

THE PRESIDENT: Does the sponsor yield?

SENATOR GIANARIS: Yes.

THE PRESIDENT: The sponsor yields.

SENATOR WALCZYK: How would this legislation impact 501(c)(4)s who have international donors?

SENATOR GIANARIS: One second, Senator Walczyk.

(Pause.)

SENATOR GIANARIS: Appreciate the chance to get off the rust, Senator Walczyk.

First debate of the year.

(Laughter.)

(Pause.)

SENATOR GIANARIS: The bill specifies that business entities would be the ones affected, so I do not believe the (c)(4)s would be included.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield?

THE PRESIDENT: Will the sponsor yield?

SENATOR GIANARIS: Yes.

THE PRESIDENT: The sponsor yields.

SENATOR WALCZYK: What is the percentage of foreign interests that would be in the business entities that are included in this legislation?

SENATOR GIANARIS: One percent.

SENATOR WALCZYK: Thank you.

Mr. President, on the bill.

THE PRESIDENT: Senator Walczyk on the bill.

SENATOR WALCZYK: If you want to get foreign money out of New York State politics,

dinging a business who has 1 percent interest overseas or in Canada or Mexico will really do nothing to do that.

This fully partisan bill ignores the glaring loophole of dark money in our political system, and it just cuts one way to a very small group of donors. So you can slap a business with a felony for a felony charge of having a 1 percent interest of a foreign investor for donating, while doing nothing about the actual dark money that goes into PACs and political campaigns in our campaign system.

So I will be voting no.

Thank you, Mr. President.

THE PRESIDENT: Senator Gianaris.

SENATOR GIANARIS: On the bill, please, Mr. President.

THE PRESIDENT: Senator Gianaris on the bill.

SENATOR GIANARIS: I can think of no better example of the motivations of my colleagues across the aisle than at a time when foreign individuals are being prosecuted in a historically unprecedented way, when the Constitution is being trampled, when American

citizens are being murdered on our streets by the federal government, the one foreign entity or foreign-controlled entity the Republicans want to defend are foreign corporations or foreign-influence corporations.

People, no. Businesses, yes. There's no better distinction for how we believe government should be run and who we believe we should protect, and who our colleagues across the aisle want to protect.

I'll be voting yes.

THE PRESIDENT: Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed. The Secretary will ring the bell.

Read the last section.

THE SECRETARY: Section 6. This act shall take effect on the 180th day after it shall have become a law.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Announce the results.

THE SECRETARY: In relation to Calendar 1, voting in the negative are

Senators Borrello, Canzoneri-Fitzpatrick, Chan, Helming, Mattera, O'Mara, Ortt, Rhoads, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 46. Nays, 13.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 2, Senate Print 568, by Senator May, an act to amend the Election Law.

THE PRESIDENT: Senator Walczyk, why do you rise?

SENATOR WALCZYK: Mr. President, I hope the sponsor would yield for some questions.

THE PRESIDENT: Does the sponsor yield?

SENATOR MAY: I do.

THE PRESIDENT: The sponsor yields.

SENATOR WALCZYK: Through you, Mr. President, what does this bill do?

SENATOR MAY: Through you, Mr. President.

First of all, I want to tell Senator Walczyk I look forward to this discussion we have on this bill every year. I hope the Assembly will pass it this time so that we can move on and debate a different bill in another

year.

But for now, what this bill does is allow election committees to put in place a short-term polling place during early voting. Because right now the early voting law requires that any early voting place be in place for 10 days, for the full 10 days of early voting. And what we're finding is that that doesn't give flexibility to the elections commissioners to find locations that might be a good location to bring the voting to the people where people are at different times of the week when early voting is in process.

So this simply allows for short-term polling places to be put in place.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

THE PRESIDENT: Does the sponsor yield?

SENATOR MAY: I will.

THE PRESIDENT: The sponsor yields.

SENATOR WALCZYK: Yeah, in order to get this bill through the Assembly you'll probably need to get an Assembly sponsor this

session. I noticed that there isn't one and that as many times as we talk about it in this chamber, it hasn't passed over there.

But I did want to ask, what types of areas are eligible or ineligible? Could a local board of elections select any area? Is there any prohibition on areas that they could select? Or what do you envision?

SENATOR MAY: So it -- through you, Mr. President. It is up to the boards of elections to decide what are appropriate sites and to make sure that they are -- have all of the security and the needs of any polling place.

But within that, I don't believe there are restrictions on where they can put them.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield?

THE PRESIDENT: Does the sponsor yield?

SENATOR MAY: I do.

THE PRESIDENT: The sponsor yields.

SENATOR WALCZYK: So are there any requirements that a polling site be in existing

locations covered by Article 265 of the Penal Law? That's our safe spaces, gun-free zones, schools, et cetera.

SENATOR MAY: Through you, Mr. President. Could you please -- can my colleague please specify? What exactly did you say? Could they be in those sites or not in those sites?

SENATOR WALCZYK: Yeah, I'll clarify. Through you, Mr. President.

So through you, I'm asking specifically whether there's any designation that impacts Article 265 of the Penal Law, the safe spaces in New York law that was passed in 2022, '23, around there. Is there any requirement to have polling sites in those locations?

(Pause.)

SENATOR MAY: Through you, Mr. President. My understanding is that once a location is designated as a polling site, then it by definition falls into that category of safe spaces.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield?

THE PRESIDENT: Does the sponsor yield?

SENATOR MAY: I do.

THE PRESIDENT: The sponsor yields.

SENATOR WALCZYK: So as soon as the board of elections designates any particular area within their county for one of the pop-up polling sites that you're suggesting here, that would make it a gun-free zone automatically in that location?

Am I understanding you correctly, firearms would be prohibited?

SENATOR MAY: Through you, Mr. President, that is my understanding, yes.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield?

THE PRESIDENT: Does the sponsor yield?

SENATOR MAY: I do.

THE PRESIDENT: The sponsor yields.

SENATOR WALCZYK: Under one section, you talk about different things that the State Board of Elections should consider when an application goes in from the county to have one

of these pop-up polling sites.

Why would we dictate to counties something like population density? Why would that be relevant or matter in this case?

SENATOR MAY: Through you, Mr. President. Let me be very clear that when we're talking about population density, we're not talking about how many people live there, we're talking about how many people can be expected to be there.

So, for example, at a mall on the weekends there might be a lot of people there; there is very low population density in terms of the number of people who live there.

So we're not talking about population density in the way you may be thinking, but it's more allowing the boards of elections to bring voting to where they expect people to be, which I believe should be a priority since we want to make it possible for as many people to vote who are eligible as possible.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield?

THE PRESIDENT: Does the sponsor

yield?

SENATOR MAY: I do.

THE PRESIDENT: The sponsor yields.

SENATOR WALCZYK: We've talked about this in years past. There's nothing that prohibits a county from doing one of these polling sites for early voting right now, is there?

SENATOR MAY: Through you, Mr. President. The law currently stipulates that any early voting site has to be in action for the full 10 days of early voting. And what we know is that in many areas it's hard to find a site that can be used for 10 full days of early voting.

So this would make a lot more possible places eligible that right now are just kind of impossible to use for that purpose.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield?

THE PRESIDENT: Will the sponsor yield?

SENATOR MAY: I will.

THE PRESIDENT: The sponsor yields.

SENATOR WALCZYK: So early voting starts 10 days out from Election Day. This bill allows boards of elections to approve a new early voting location 14 days out from the election, is that correct?

Four days before early voting starts, that's when they would be able to announce that they have an early voting site? Am I reading that properly?

(Pause.)

SENATOR MAY: Through you, Mr. President, that's correct.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield.

THE PRESIDENT: Does the sponsor yield?

SENATOR MAY: I will.

THE PRESIDENT: The sponsor yields.

SENATOR WALCZYK: If you're announcing that you have an early voting pop-up site in a county in New York State just four days before early voting starts, wouldn't that create more confusion for voters?

They generally know where their

polling site is, and the board of elections gives them notice a long time out. We've watched consolidation of polling places. People get the notices in the mail, then they -- they're generally upset when they lose a polling place.

But couldn't this lead to a lot more confusion if people are just finding out four days prior to early voting that there's new polling sites popping out in various locations?

SENATOR MAY: Through you, Mr. President. I need to stress that these are additional polling sites, so these do not replace existing early voting sites. These will be additional sites.

So if people have been making plans to go to the early voting site that they had heard about earlier, they can still go there. These will make it possible for more people to access the franchise.

So it's working in other states. I know Idaho and Texas had examples of this, California and Washington, I believe, or -- they are very popular, and they simply provide an additional option to the voters. They don't replace the old ones. So confusion isn't --

shouldn't be a problem.

SENATOR WALCZYK: Thank you. Thank you.

Mr. President, on the bill.

THE PRESIDENT: Senator Walczyk on the bill.

SENATOR WALCZYK: This bill, as I read it and read it anew each year that it comes forward, at least in this house -- thank goodness not in the other -- I believe will just lead to more confusion for voters.

Getting a notice that new polling locations are popping out in early voting here and there in your county just four days before early voting starts doesn't seem to me like something that would increase faith that our elections are well-run, stable, good, not pushing fraud out.

And it will also cost money. So whether the local municipality is paying for it and putting it on the taxpayers locally or whether the state eventually picks up the tab or any portion thereof for this, this is not something that will make it more affordable for New Yorkers and will only be making it more

confusing for New York's voters.

So I'll be voting no, and I encourage my colleagues to do the same.

Thank you, Mr. President.

THE PRESIDENT: Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed. The Secretary will ring the bell.

Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the first of January.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

And thank you, Senator Walczyk, for the debate.

There are counties in New York State that have only one early voting place. And in the case of some of our rural counties, it may be 45 minutes or an hour drive for a number of people to reach that polling place.

One thing that we have seen used

elsewhere in the country to address those kinds of inequities, especially when we have senior citizens, for example, who cannot get to the early voting place, is for boards of elections to figure out ways to bring the polling places to where the people are.

This is a bill that simply creates more equity in terms of access to early voting. And it can be good for rural counties, it can be good for urban areas where the early voting places may experience long lines and they can create some additional locations for people to vote.

But what's important to know about this bill is it is entirely voluntary on the part of the boards of elections. They can decide if this is a cost-effective way to use their funds. Some of them probably will, because it can be expensive to put a whole new full-10-day early voting site in place, but it could be a lot more cost-effective to use just three days and give access to a larger number of people.

So I am proud of this bill. As I said before, I hope it passes through the Assembly and we can move on and just debate

another bill in a future year.

I vote aye.

THE PRESIDENT: Senator May will be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 2, voting in the negative are Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 38. Nays, 21.

THE PRESIDENT: The bill is passed.

THE SECRETARY: Calendar Number 3, Senate Print 1035, by Senator Myrie, an act to amend the Election Law.

THE PRESIDENT: Senator Walczyk, why do you rise?

SENATOR WALCZYK: Mr. President, I hope the sponsor would yield for some questions.

THE PRESIDENT: Does the sponsor yield?

SENATOR MYRIE: Yes.

THE PRESIDENT: The sponsor yields.

SENATOR WALCZYK: So if you've got

two elections commissioners in your county -- one Republican, one Democrat -- and they're part-time, who pays for their 60 hours of training required in this legislation?

SENATOR MYRIE: Through you, Mr. President. This bill does not impose any fiscal strains or costs on the local governments. It can be fully contained within the current budget of the State Board of Elections.

And it additionally adds a component that allows for cost savings by way of making the training available online. That was done with the intention to reduce any additional costs that might be incurred.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield?

THE PRESIDENT: Does the sponsor yield?

SENATOR MYRIE: Yes.

THE PRESIDENT: The sponsor yields.

SENATOR WALCZYK: If you're a county that has part-time elections commissioners, my understanding from the answer that you just gave is that the state will

reimburse the county for their travel and for the 60 hours of training required in this legislation? The State Board of Elections will be reimbursing the county?

SENATOR MYRIE: Through you, Mr. President, that is not what I said.

The initial cost is incurred by the State Board of Elections.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield?

THE PRESIDENT: Does the sponsor yield?

SENATOR MYRIE: Yes.

THE PRESIDENT: The sponsor yields.

SENATOR WALCZYK: What do you mean by "initial cost"? You mean setting up the actual training program?

SENATOR MYRIE: Through you, Mr. President, the bill outlines the process by which this training would be implemented. And it requires the State Board of Elections to come up with that process. The State Board of Elections would be administering the training, and that training would take place online.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield?

THE PRESIDENT: Does the sponsor yield?

SENATOR MYRIE: Yes.

THE PRESIDENT: The sponsor yields.

SENATOR WALCZYK: So even the 30 hours required per elections commissioner initially, that's an online portion as well?

SENATOR MYRIE: Through you, Mr. President, the State Board of Elections would determine that.

And I want to be clear that the 30 hours is required just in the first six months with an appointment. There is a continuing education and training component that is required, and that is just three hours every year.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

THE PRESIDENT: Does the sponsor yield?

SENATOR MYRIE: Yes.

THE PRESIDENT: The sponsor yields.

SENATOR WALCZYK: But the State Board would get to determine, after this legislation is passed, whether that initial 30 hours is online or at the State Board.

Would elections commissioners have to travel to Albany, I guess is what I'm asking.

SENATOR MYRIE: Through you, Mr. President, that is a determination made by the State Board of Elections.

But it is not unlike other regulations promulgated by the State Board and in other spaces as it relates to poll workers, who are statutorily required to be periodically examined. The State Board of Elections is welcome to collaborate with election commissioners to determine the parameters of that training.

SENATOR WALCZYK: And through you, Mr. President, will the sponsor continue to yield.

THE PRESIDENT: Will the sponsor yield?

SENATOR MYRIE: Yes.

THE PRESIDENT: The sponsor yields.

SENATOR WALCZYK: So if the State Board of Elections determines that they indeed want an in-person training for new elections commissioners within the first six months, as outlined in your legislation here, who would pick up the tab for that? Is that the counties that are picking up the tab?

SENATOR MYRIE: Through you, Mr. President, if the State Board of Elections made that determination, it is our intent that they would pick up whatever those costs would be.

SENATOR WALCZYK: Thank you.

Mr. President, on the bill.

THE PRESIDENT: Senator Walczyk on the bill.

SENATOR WALCZYK: Counties didn't ask for this. It's a solution in search of a problem. It's an unfunded mandate.

And I'll be voting no. Thank you.

THE PRESIDENT: Senator Myrie on the bill.

SENATOR MYRIE: Just speaking on the bill to correct the record.

A few years ago the Elections Committee held hearings throughout the

State of New York where we heard from elections commissioners, both Republican and Democrat, who expressed to us a desire to have uniform training.

New York actually stands separate from the rest of the country. Forty-three states across the country have required training for our elections commissioners. There are only six, including a territory, that do not.

And so I think it's important to recognize that this wasn't a top-down process. In fact, it was the reverse. We went to the counties, we traveled across the state, and we heard from commissioners who said, We would like to see this.

THE PRESIDENT: Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed. The Secretary will ring the bell.

Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 180th day after it shall have become a law.

THE PRESIDENT: Call the roll.

(The Secretary called the roll.)

THE PRESIDENT: Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

I want to thank Senator Myrie for this bill, and the Majority Leader for allowing us to vote on it today.

I vividly remember several years ago there was a congressional race that took place in Central New York. Two of the counties that I represented were involved in that race, and it came down to multiple recounts and lawsuits to try to figure out who won that race.

In the course of those lawsuits, it turned out that elections commissioners in multiple counties had made so many errors that it was almost impossible to determine who was the winner of that race.

It was almost comical, except that it was so consequential. And it really foregrounded the need for elections commissioners to have standardized training and reliable training.

So I am grateful to Senator Myrie for this bill, and I hope that we are able to get

it signed into law.

Thank you.

ACTING PRESIDENT BAILEY: Senator May to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 3, voting in the negative are Senators Borrello, O'Mara, Walczyk and Weik.

Ayes, 55. Nays, 4.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 4, Senate Print 1036, by Senator Myrie, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: Senator Lanza, why do you rise?

SENATOR LANZA: Mr. President, I believe there's an amendment at the desk. I waive the reading of that amendment and ask that you recognize -- you've guessed it -- Senator Walczyk.

(Laughter.)

ACTING PRESIDENT BAILEY: Thank you, Senator Walczyk.

Upon review of this amendment, in

accordance with Rule 6, Section 4B, I rule it nongermane and out of order at this time.

SENATOR LANZA: Accordingly, Mr. President, I appeal the ruling of the chair and ask that Senator Walczyk be heard on that appeal.

ACTING PRESIDENT BAILEY: The appeal has been made and recognized, and Senator Walczyk may be heard.

SENATOR WALCZYK: Thank you, Mr. President. And I hope you will hear this appeal, because this is an opportunity for me to explain the germaneness.

The bill-in-chief allows people to vote at their vacation home. No doubt the bill is aimed at increasing participation in our electoral process, but nothing encourages participation more than bettering the system to increase faith and security in our elections.

When people know that their vote counts and that those who shouldn't be voting in our elections, their vote will be rejected, they will get out and vote. This is how you enfranchise voters. This is how you increase participation, when people have faith in our

elections here in New York State.

Pew and Gallup have -- I mean, I hear from the -- across the aisle over and over again about the principles of democracy if people can directly -- well, I've got news for you. If people could directly vote for this amendment that I offer here today, the people of the United States of America, the people of the State of New York, the overwhelming supermajority of them support voter I.D.

So direct democracy, if you love it, then you love voter I.D. and this amendment and its germaneness to this bill. So for democracy's sake, this helpful bill will substitute the bill-in-chief and require voter I.D. at the polls.

You can't get healthcare, a job, an apartment, a bottle of beer, drive a car or get on a plane without an I.D. New Yorkers expect voter I.D. in the State of New York, and they've called for it time and time again.

So on their behalf, once again I'm here today to stand with the 80 percent of New Yorkers that support voter I.D., not the 20 percent that want to reject it here.

So please support this hostile amendment. I think it's a helpful amendment.

And I would say this. This amendment goes so far because I've heard some arguments out there about voter I.D. in the past. If you forget your I.D., we have a provision for that in this bill. You can prove your residence, you can prove that you're a citizen here and that you should vote. You can vote by affidavit ballot. You can bring additional documentation.

And we even went so far in this helpful amendment to allow anyone that says that they can't afford an I.D., anyone that qualifies for Medicaid in the State of New York, a free I.D. just so that they can participate in our democracy.

So please, for their sake and their faith in our elections, vote to see this amendment through.

Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Walczyk.

I want to remind the house and all those watching that this vote is on the procedures of the house and the ruling of the

chair.

Those in favor of overruling the chair, please signify by saying aye.

(Response of "Aye.")

SENATOR LANZA: Show of hands.

ACTING PRESIDENT BAILEY: A show of hands has been requested and so ordered.

Announce the results.

THE SECRETARY: Ayes, 22.

ACTING PRESIDENT BAILEY: The ruling of the chair stands, and the bill-in-chief is before the house.

Read the last section.

THE SECRETARY: Section 3 --

ACTING PRESIDENT BAILEY: Excuse me, the bill was laid aside.

Senator Walczyk, why do you rise once again?

SENATOR WALCZYK: Thank you, Mr. President. Believe it or not, I'd like to ask a question on this bill.

ACTING PRESIDENT BAILEY: I was not certain.

(Laughter.)

ACTING PRESIDENT BAILEY: Are you

asking the sponsor to yield?

SENATOR WALCZYK: I would.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Gladly.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Thank you. I appreciate it.

So not every New Yorker can afford a -- through you, Mr. President, not every New Yorker can afford a vacation home. Why allow a special voting privilege to benefit the most wealthy New Yorkers?

SENATOR MYRIE: Through you, Mr. President. Luckily, this bill does not apply to only New Yorkers that can afford a second home, but applies to college students who attend college all over the state.

And luckily this bill is not the creation of a new right, but the codification of case law from the past 40 years. The Court of Appeals has already said that what matters in these cases is the voter's intent and their ability to be connected to the place that they

choose to register at.

This bill is seeking to clarify that, make that clear in statute so that we're not spending money on litigation, that we're not challenging in a case where it should be clear where the voter has chosen to stay.

We have had elections in this state that have been decided by fewer than 100 votes. And in those elections, most recently in 2020, an election for Congress was decided by 109 votes. It took many, many, many days for us to finally conclude the result of that election because there was litigation around things that had been made clear in case law but were not clear in our statutes.

That is what we're trying to do today.

SENATOR WALCZYK: And through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR MYRIE: Yes.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: I hear your rebuttal on college students, and you do mention "student lives while attending a college or university."

But also very specifically in this bill you outline "including a second or vacation home." So I would say, again, why is that included in your legislation today? Why would we want New Yorkers to be voting at their second or their vacation home?

SENATOR MYRIE: Through you, Mr. President, the courts have determined that what is significant in deciding where the registration will be valid is the voter's intent. There's some other factors that are laid out -- continuity, connection. And if the voter has intended to have that be the place of registration, that is what the courts respect.

We, the Legislature, think the courts are right. We should respect where the voter intends to register.

SENATOR WALCZYK: Thank you, Mr. President. On the bill.

ACTING PRESIDENT BAILEY: Senator Walczyk on the bill.

SENATOR WALCZYK: The intent is written right into the bill. It's called a vacation home. The intent is "vacation," not home. They have home and vacation home. You're supposed to vote where your home is, where you live.

This is an added benefit for the wealthiest New Yorkers, and we know the reason why it's being done. This bill would allow New Yorkers to, if they have a full time residence in New York City and a home in the Adirondacks -- where I represent -- this would allow them to vote in one election in New York City and then, you know, their intent, even a vacation home intent, to vote in another election.

Let's say you vote in a primary in New York City and then you vote in the general election because your intent is to have some continuous connection to that community.

And I can tell you, as representing the Adirondacks and a lot of vacation homes, that intent is easily established. There are families that live in New York City, New Jersey, that have a longstanding history of having vacation homes,

a direct tie to that community. They come back year after year after year.

Easily would pass the smell test under this legislation. But they should be voting where they live, where their home is, not where their vacation home is.

And for that reason, Mr. President, I'll be voting no and encourage my colleagues to do the same.

ACTING PRESIDENT BAILEY: Thank you, Senator Walczyk.

Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed. The Secretary will ring the bell.

Read the last section.

THE SECRETARY: Section 3. This act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 4, voting in the negative are

Senators Ashby, Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Rolison, Scarcella-Spanton, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 37. Nays, 22.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 7, Senate Print 8646A, by Senator Gonzalez, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: Senator Walczyk, good to see you again. Why do you rise?

SENATOR WALCZYK: I'm back --

(Overtalk.)

SENATOR WALCZYK: -- Mr. President. Would the sponsor yield?

ACTING PRESIDENT BAILEY: Senator Gonzalez, do you yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Thank you.

Through you, Mr. President. When was this bill introduced?

SENATOR GONZALEZ: Through you, Mr. President. This bill was introduced within the last week.

SENATOR WALCZYK: And through you, Mr. President, if the sponsor would continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: And when did this bill pass committee?

SENATOR GONZALEZ: Through you, Mr. President. The bill passed through committee today.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: And was that

committee agenda posted last night?

SENATOR GONZALEZ: Through you, Mr. President. As is normal practice on the first day of real business, our committee agendas were posted and they were shared with the Minority central staff I believe yesterday.

SENATOR WALCZYK: Yesterday. Through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: So will this bill allow poll worker -- or poll -- yeah. Will this bill allow poll workers to sue voters? Is that what your intent is here?

SENATOR GONZALEZ: Through you, Mr. President. This bill is an incredibly important one because we've seen an increase in threats of violence against election officers -- not necessarily just by voters, but by the broader public.

And what this bill does is create a

private right of action for election officers who have been threatened to bring forth that claim.

And of course it does a couple of other key things, including allowing them to protect their addresses and their personal identifying information.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: So in -- in -- it's a new bill to me, and obviously the committee agenda posted yesterday, late yesterday, is when I received it. So I haven't had a lot of time to receive feedback on it.

But my read is that if -- if a poll worker, who is an elections official at a poll site, feels that a voter that comes in is hostile, is threatening, is maybe very frustrated, they can then have a private right of action, they can sue if think they feel

intimidated by that voter that comes into the polling site? Is that right?

SENATOR GONZALEZ: Through you, Mr. President, that is correct.

SENATOR WALCZYK: And through you, Mr. President, would the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Would you talk through some of the -- the scenarios here with me?

If someone feels that they are being disenfranchised in the polling place, that they should in fact be registered to vote or that there's a confusion with registration or -- sometimes we even see names that are very similar when a poll worker is pulling up their names -- and they are hostile and frustrated in that case and they would like to record that or they ask the poll worker, you know, what is their name, your goal here is to allow, if that poll worker

feels threatened by that interaction, that poll worker can then take the voter to court and sue them? Am I understanding that correctly?

SENATOR GONZALEZ: Through you, Mr. President. It is our position that the very same protections that exist for voters through the Voting Rights Act should be extended to election officers.

While the -- my colleague across the aisle is bringing up certain scenarios that could potentially happen, it would ultimately be for the courts to decide if the instance was indeed intimidation.

According to the bill, we define intimidation as a person uses or threatens to use any force, violence, restraint, abduction or duress, or inflicts or threatens to inflict any injury, damage, harm or loss or in any other manner participate -- practices intimidation that ultimately prevents the election officer from conducting their duties.

So again, under that definition, the court will have to decide if -- what instances fall within that.

SENATOR WALCZYK: Through you,

Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: But as far as suing a voter that comes into the polling place, that intimidation -- at least the means to bring forward a lawsuit against that voter that came into the polling place, that would be if the poll worker feels they've been intimidated in any way? Am I understanding that right?

SENATOR GONZALEZ: Through you, Mr. President. It would be incumbent on an election officer to choose to bring forward a claim in court.

Certainly that is a -- I cannot speak to the feelings around that choice. But we do know that these are real cases that have happened. According to a national survey conducted in 2024 by the Brennan Center for Justice, more than one-third of local election workers reported threats and harassment. Nearly

70 percent of those polled said that the danger has increased since 2020.

So certainly there have been election officers who have felt this harassment and experienced threats and certainly a need for this bill in New York.

SENATOR WALCZYK: Through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Section 265.01-e of the Penal Law prohibits firearms at polling sites, as I mentioned earlier in debate today. You mentioned firearms here. What is the change to statute?

SENATOR GONZALEZ: Through you, Mr. President, that is correct. Much of this is covered under Penal Law.

But what's added to the bill are two key things: One, a presumption that if someone is breaking that Penal Code that you mentioned,

and bringing a gun to a poll site, that they have an intent to intimidate.

In addition, we have included an exemption for police officers and law enforcement because certainly we understand that when they have firearms, that is with the intent to protect us and our elections.

SENATOR WALCZYK: And through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: So it's already a crime to bring a firearm to a polling site in our current statute.

But this would allow poll workers to sue the person that has already committed that crime if they bring it a polling site? Now, on top of being charged criminally, that poll workers would also be able to sue them? Am I understanding that correctly?

SENATOR GONZALEZ: Through you,

Mr. President, it is correct that there would be a criminal proceeding.

If one of the elections officers feels that they have been targeted and intimidated, they can also bring this civil offense to court.

It is very normal, I will say, to have multiple offenses prosecuted at the same time. So ultimately it gives multiple pathways for justice and shows our election officers that they can -- that they have agency to protect themselves in these situations.

SENATOR WALCZYK: Through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: So poll workers have to be residents of the county in which they're doing their poll work, is that correct?

SENATOR GONZALEZ: Through you, Mr. President, I'm going to take one moment

to ...

(Pause.)

SENATOR GONZALEZ: Through you, Mr. President, I certainly want to be exact when using language around the hiring requirements for poll workers. And so we can certainly follow up in an answer to make sure you get the exact language involving that, yeah.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Yeah, I believe they do have to be in a county in which they're an election official. They certainly have to be a registered voter in the State of New York.

How will poll inspectors and elections inspectors validate their registration and residency, given the new protections of restricted personal information that you've included in this bill?

SENATOR GONZALEZ: Through you, Mr. President, I want to clarify a few things.

First, in the bill it is -- it is true that we have created a definition for what is personal and sensitive information for election workers. If they feel that they have been a target of threats and harassment, they can apply to be part of the state's Address Confidentiality Program.

To do that, they have to submit a form and they have to of course affirm that they have been under threat. It is optional. It would be incumbent on that, you know, potential poll worker to do that, or they would have to be a poll worker at that point.

I do not believe this would preclude them from submitting their address when applying for a job to be a poll worker.

SENATOR WALCZYK: And through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The

sponsor yields.

SENATOR WALCZYK: Well, part of the job of elections inspectors is to go into poll sites and, if there's anything that is amiss, they're there to ask questions, which could be perceived as intimidating and end up in a lawsuit, based on your legislation.

But my question specifically is how will those elections inspectors or poll watchers be able to get that data if you're restricting that data in this proposed legislation?

SENATOR GONZALEZ: Through you, Mr. President. This bill does not make that information a secret. Of course I described one process by which someone could seek to have their address become confidential.

But ultimately what we've done is create a new crime for an address, for example, being shared publicly online with the intent to intimidate an election officer.

So whereas for normal operations, again, that information isn't a secret and certainly could be verified, we have in this bill been very intentional about carving out a scenario where that information and that private

information, as we've defined according to the bill, is publicly shared with, again, the intent to make that election officer feel unsafe.

And I would like to reiterate that this has happened across the country with increasing frequency in the last six years.

SENATOR WALCZYK: Through you, Mr. President, will the sponsor continue to yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: Yeah, I don't disagree with the intent to make a safer poll site for the poll workers that do that job. I love my local poll workers, and I know New York voters appreciate seeing them when they show up to the site.

My concerns here are really on transparency. So if the public is guarded from the address of poll workers, but the poll workers are required to be residents of that county, then how can the public, in our open and fair

elections system, ensure and validate that poll workers are actually residents of that county if their addresses are shielded?

SENATOR GONZALEZ: Through you, Mr. President, I would like to ask for some clarity on this question.

Are you, colleague, insinuating that voters should be going into poll sites, in this scenario, and asking for the addresses of the poll workers?

ACTING PRESIDENT BAILEY: Senator Walczyk, could you clarify the question?

SENATOR GONZALEZ: Yeah.

SENATOR WALCZYK: Yeah, through you, Mr. President. I'm suggesting that somebody should.

And I'm asking you who that somebody should be and who that somebody, with this new legislation, will be. Who will validate that poll workers are actually residents of the county in which they're working the polls?

SENATOR GONZALEZ: Through you, Mr. President, many of the poll workers are also voters, and so their address is of course verified by the state.

You've also described, of course, that there are other officers and officials whose job it is to ensure that a poll site is working as it should. And that includes, of course, that the appropriate staff are there and that those staff have been hired appropriately.

We -- this bill impacts none of that. Although I am -- I am certainly very curious about the notion that voters should be going to ask for addresses, and I'd be curious if my colleague does that normally when he votes.

SENATOR WALCZYK: Through you, Mr. President --

SENATOR GONZALEZ: Is this a scenario that's come up?

SENATOR WALCZYK: I -- I would -- I would yield --

ACTING PRESIDENT BAILEY: So just -- just for a second. Senator Gonzalez, are you asking Senator Walczyk to yield or clarify?

SENATOR GONZALEZ: Yeah, I mean I'd -- I'd love to understand better what this question is, yes.

ACTING PRESIDENT BAILEY: So Senator -- so Senator Walczyk, do you yield to a

question from Senator Gonzalez?

SENATOR WALCZYK: Sure.

ACTING PRESIDENT BAILEY: Senator Walczyk yields.

Senator Gonzalez, restate your question, please.

SENATOR GONZALEZ: I -- I guess I'm curious if the question is if the public should be verifying that the poll workers are employees, and their employment information, and if that is a -- it would be helpful to know if there was a real concrete scenario in which this has happened, and certainly how it's related to this bill text.

SENATOR WALCZYK: Yeah, I would answer, Mr. President, the -- the public wants transparency in their elections. They want to understand that this is a good system that they trust, that everyone is following the rules.

We've got poll watchers and we've got elections inspectors for very good reason. There are good government groups that give overwatch and look at things, because there's been a distrust in our electoral system.

So to guard more information from

the public and say we're just going to close the book, and then to slap on if anybody feels intimidated in this polling site because you've asked them a question, you will get sued, we will take you to court for intimidating a poll worker, I think that gives a lot of pause for a public that cares about the openness and transparency of our electoral process.

SENATOR GONZALEZ: Through you, Mr. President, I do want to clarify a few things, because I believe the bill is being mischaracterized based on the assessment of my colleague.

This bill does not get in the way, again, of election inspectors doing their job or doing their due diligence. This bill does not actually make the personally identifiable information of all election officers a secret.

It does, however, give election officers who have experienced intimidation an ability to bring that to court and for the court to determine if that is true.

So this bill is specific to not necessarily going up to a poll worker and asking if they're meant to be there. This bill is

specific to whether there are threats of physical violence, it is specific to if information has been shared online with the intent to bring harm to that election officer, and it of course creates a standard around both of those.

But again, that is -- that is to say none of that makes those addresses private. And it is -- again, it's specifically for folks who have experienced this as election officers. Specifically, they can submit to the state to be part of the state confidentiality program. But it is certainly not the case that every poll worker is doing that.

SENATOR WALCZYK: Okay. Through you, Mr. President, would the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

The sponsor yields.

SENATOR WALCZYK: All right. So my understanding now is that if an elections inspector asks a poll worker for I.D., that would not be an intimidation, that would be fully within their job?

SENATOR GONZALEZ: Through you,

Mr. President. I do not have the full list of responsibilities of election inspectors in front of me, so give me one moment.

(Pause.)

SENATOR GONZALEZ: Through you, Mr. President, I want to be clear that asking for identification is not an instance of intimidation under the language of this bill. When it comes to voting, certainly it is not required to carry out that civic duty.

And ultimately, if there was a lawsuit brought to court, it would be for the judge to decide if there was additional details to that case that would somehow take that question being asked and make it an instance of intimidation and harassment.

So without those additional details certainly could not -- you know, it would be litigated, and I'm not able to use hypotheticals to define what is happening in this bill.

SENATOR WALCZYK: Through you, Mr. President, would the sponsor yield.

ACTING PRESIDENT BAILEY: Will the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: So you can see a scenario, from your answer that you just gave, where an elections inspector -- it's their job to make sure that everything is good in the polling site -- asks a poll worker for identification to prove that they should be a poll worker within that municipality or within that county, and then gets sued for intimidation, and it would just be up to the courts.

SENATOR GONZALEZ: Through you, Mr. President. We can spend the entire evening coming up with hypothetical situations.

What this bill ultimately does is allow for election officers to bring their -- raise their issues in court and, again, for a real legal proceeding to happen with -- that is informed by all the details of a situation.

Certainly, you know, there is a universe of hypotheticals that could happen. But I just want to be clear that is not -- we are not determining the outcomes of those cases in this bill. We are certainly allowing those cases, though, to be brought forward.

SENATOR WALCZYK: I'll belabor that -- through you, Mr. President, will the sponsor continue to yield?

ACTING PRESIDENT BAILEY: Does the sponsor yield?

SENATOR GONZALEZ: I do.

ACTING PRESIDENT BAILEY: The sponsor yields.

SENATOR WALCZYK: So we just passed a bill that we continually pass in this chamber for early voting sites that can pop up around a county or a municipality during early voting.

The sponsor in the past has mentioned shopping malls and Walmart parking lots or even large businesses in an area where population density may make sense for county board of elections to have one of those pop-up polling sites. Which would -- once it's a polling site, it would be subjected to sensitive areas legislation prohibiting firearms. We talked about this a little bit earlier in our debate.

So if your bill becomes law and that bill becomes law, someone -- am I understanding this correctly, if you popped up a polling site

in a shopping plaza parking lot, someone could actually be sued for carrying a firearm in that shopping plaza parking lot if a poll worker or any elections official feels intimidated that there's a firearm in that parking lot?

SENATOR GONZALEZ: Through you, Mr. President. The language describes intent, which is a very normal thing for the courts to, again, decide.

I could imagine a situation where someone's walking to their car and there is clearly no intent. But if the person is at the portable polling place and they are actively harassing other voters or election officers, then there could be a case that their intent was to bring a firearm to that polling site and then of course harass and intimidate.

SENATOR WALCZYK: Thank you, Mr. President.

ACTING PRESIDENT BAILEY: Thank you, Senator Walczyk.

Are there any other Senators wishing to be heard?

Seeing and hearing none, debate is closed. The Secretary will ring the bell.

Read the last section.

THE SECRETARY: Section 9. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator Skoufis to explain his vote.

SENATOR SKOUFIS: Thank you very much, Mr. President.

There was a lot of Q&A there, obviously. But I think one of the most important questions that was not asked was why is this bill needed? When did this all start really happening?

It started happening six years ago. Well, five years and three months ago. Prior to that, people went and voted, they got their sticker, they went back home, they watched the election results, and they accepted whether their candidate won or lost. BOE workers weren't assaulted. Election inspectors didn't have their lives threatened, their family's lives threatened.

This started because we had a sitting president, an outgoing president -- a lot's been talked about trust in elections. This started because the most powerful individual in the world became a sore loser and determined he was going to tell all of his supporters the election was stolen.

And who steals elections? The people administering the elections. That's why this bill's needed. If not for that, this bill would not be needed. We would not be talking about this.

In Maricopa County in Arizona, after the election the BOE workers had to be sent to undisclosed locations. That's not happenstance. That happened for a reason.

So when you talk about people wanting a voting system they can trust, that was almost verbatim, what we just heard from our colleague across the aisle. This has nothing to do with vacation homes, nothing to do with these other things we're talking about. The reason why some people don't trust electoral outcomes is because of that election and what transpired after it.

There's no one who's casting a vote at a polling place, then going to the bathroom and putting on a fake moustache to cast a second vote. That stuff doesn't happen. There aren't millions of people here illegally casting votes.

You talk about trust? You get trust back in our elections system by standing up and denouncing those lies.

In the meantime, we have to protect our workers who are administering these elections and facing these lies and facing the threats that come from them.

I vote yes.

ACTING PRESIDENT BAILEY: Senator Skoufis to be recorded in the affirmative.

Senator Gonzalez to explain her vote.

SENATOR GONZALEZ: Thank you, Mr. President.

I want to thank the leader and certainly my conference for their support of this bill.

There are 40 states that have similar legislation that have felt the need in the last especially five, going on six years to

protect their election officers. Because of the increase in threats I mentioned earlier, we have seen a wave of retirements and election officers resigning from their positions.

And we want to make it clear here in New York that if you want to be a part of our democratic process, that we have your back. That you should not come to work and feel that your life will be threatened, that those around you will be targeted.

And in this digital age where we have social media, it is important to meet the moment and create a standard for how that information is distributed online. And that is exactly what this bill does.

I am so proud that we are showing election officers that we care about their safety. But I echo my colleague's sentiment that it is a true sign of the times that we need bills like this in the first place.

So I look forward, based on the robust debate from this chamber, to really engage in what it means to combat misinformation, to what it means to combat hate, what it means to make sure our elections are truly protected and

all New Yorkers can vote freely and fairly.

So thank you, Mr. President. And again, I want to thank the leader for this election package today. It is significantly important in this moment.

Thank you.

ACTING PRESIDENT BAILEY: Senator Gonzalez to be recorded in the affirmative.

Senator Borrello to explain his vote.

SENATOR BORRELLO: You know, I wasn't looking to go down this road today, but here we are.

You know, a recent poll showed that one in four people that are self-identified liberals believe that it's okay to use violence to justify a political cause. One in four people that are willing to tell a stranger on the phone that they are willing to commit acts of violence to support their political cause.

So don't sit here and preach to me about what's going on when one in four people, self-identified liberal, think it's okay to commit acts of violence.

And we've seen those acts of

violence. We see them every day on TV. I will not be lectured to about this.

This is about doing the right thing at the right time. It has nothing to do with grandstanding. I'm voting no.

Thank you.

ACTING PRESIDENT BAILEY: Senator Borrello to be recorded in the negative.

Senator Walczyk to explain his vote.

SENATOR WALCZYK: I appreciate the -- well, I don't really appreciate the history lesson from my colleague across the aisle. I think it was a presidential candidate, Hillary Clinton, who called the president of the United States an illegitimate president, based on the results of an election by the American people.

So I think it cuts both ways, and that's dishonest. I would love to see better policy in New York State that doesn't have New Yorkers questioning our elections. That's why I debated that bill, and that bill, and that bill, and that bill.

New Yorkers aren't standing up and saying, We need a bunch of changes to election

law every 10 minutes, and every new legislative session, and we need an Elections Committee meeting announcement on a Sunday night for a Monday debate in the New York State Senate to just jam it right through. We've got to get that elections policy right in on the first day, with a bunch of stuff that makes it much more confusing and only causes voters to ask a lot more questions about the process.

I certainly have a lot more questions about the process after today. And if these bills become law, we'll have many more.

That's not how you build faith in our elections. So I would ask you to take a look in the mirror and lead on this issue.

Thank you, Mr. President. I vote no.

ACTING PRESIDENT BAILEY: Senator Walczyk to be recorded in the negative.

Senator Rhoads, please sit.

Senator Fahy to explain her vote.

SENATOR FAHY: Thank you. Thank you, Mr. President. Appreciate this opportunity.

I believe this country -- one of the fundamental principles that this country is based

on is the power to govern, which is derived from people and that right to cast a vote.

I want to commend the sponsor on this bill because I do think it's important, for far too many Americans have suffered many decades ago. And then six years ago it seems as if we have started these intimidation practices again and we are seeing an increase in those intimidations and threats.

Times have changed. This use of -- by our president and others using violent language to condemn Americans and to condemn our elections, at times questioning them -- which has, again, culminated in the attack on January 6th in 2021 -- we have since seen election commissioners, officials, public servants who are regularly facing threats, threats to their work, to their family, and to more. The stats have been rather astounding.

And I do think as long as we are going to see this type of debate where we are demonizing workers, demonizing other Americans, we do need to stand up. We do need to call this out. And again, whether it is misinformation or rhetoric coming from the highest levels, highest

offices, we've got to protect our elections, protect our civil servants.

And I'm proud to vote in the affirmative. Thank you.

ACTING PRESIDENT BAILEY: Senator Fahy to be recorded in the affirmative.

Senator Rhoads now to explain his vote.

SENATOR RHOADS: Thank you, Mr. President.

I find it odd that we're talking about intimidation of workers, particularly from the party that continues to demonize law enforcement, continues to demonize Immigration and Custom Enforcement, continues to demonize correction officers in the State of New York, which has happened on a regular basis, not only outside of this chamber but even inside of this chamber by members from the -- from my colleagues from the other side of the aisle.

We all want to protect our election workers. But the one thing -- even today, the one thing that voters agree on is the fact that the one thing that would secure integrity in our elections is voter identification.

And my colleagues on the other side of the aisle unanimously voted against an amendment that would have provided voter I.D., something that 80 percent of New Yorkers have asked for to secure election integrity in their minds, assuaging their fears.

And what we have in this particular bill -- and the reason that I'm voting against it, Mr. President -- is the fact that not that we don't want to protect election workers, but that you have created an open-ended definition of intimidation which is going to lead to a flood, potentially, of litigation, putting people who are simply doing their jobs, like poll workers and election inspectors, potentially at risk of having to be dragged into court for some simple questioning or asking somebody for their identification or simply asking that -- if they believe that a voter, for example, may not be registered, they believe that there's some process as part of their job that they're supposed to challenge as an election inspector, if the poll worker feels intimidated by that, now will be dragged into court, forced to actually hire counsel, and forced to defend

themselves in a lengthy civil court proceeding facing potential punitive damages.

That's why I'll be voting no, Mr. President.

ACTING PRESIDENT BAILEY: Senator Rhoads to be recorded in the negative.

Senator Stec to explain his vote.

SENATOR STEC: You know, I wish that I thought there was some sincerity that I heard today about worrying about our -- protecting our government officials.

I want to know where that mindset was last year when numerous occasions throughout the entire session a lot of us, myself included -- myself especially -- begged for a little concern for our government officials that work in our prison systems. Where's the concern for their safety?

Now we're going to provide provisions in this law to protect government officials' identity and conceal them? We're worried about their privacy? Somehow I know that we're going to be talking about other government officials in the very near future and about their identities and about protecting their rights and

their safety and their privacy.

And I'm wondering how that discussion's going to go. But I think I know. I'm sorry: Hollow at best, hypocritical probably more accurate.

I'm voting no.

ACTING PRESIDENT BAILEY: Senator Stec to be recorded in the negative.

Senator Weik to explain her vote.

SENATOR WEIK: You know, today I have heard a very shortsighted recollection of history only going back six years. As if this country has never, ever witnessed intimidation in the polling place or people who are very, very divided. I'm sure during the Vietnam era we had that at the polling places all the time, and counting back even further in history. So to say it only goes back six years is very, very shortsighted.

This bill has a very vague definition of intent and intimidation. And its primary focus is on bringing about civil action at the polling place, which in itself is intimidating to pollers -- to voters going to a polling place, knowing that if they open their

mouth and they spark some kind of argument, they are then able to become victims of a civil suit.

This bill does nothing but create more regulations. It oppresses voters. And there is a simple solution. You can simply bring law enforcement in to make sure that we're using already existing power of law enforcement to safeguard those individuals.

And for these reasons I'm voting no.

ACTING PRESIDENT BAILEY: Senator Weik to be recorded in the negative.

Senator Gianaris to close.

SENATOR GIANARIS: Thank you, Mr. President.

I wasn't going to speak on this, but now I feel like I must.

I heard some of my colleagues across the aisle talk about -- God knows where the information is from, but, you know, free speech, you can say what you want -- that 25 percent of a self-identified, you know, certain ideology supports violence. I think that's nonsense.

But also I will not sit here and listen to that kind of talk when I didn't hear anything -- not even not hear anything, but the

people on the other side of the aisle and those they support pardoned dozens of people who committed actual violence in the Capitol Building, not unlike the one we're sitting in.

So please, give it a rest when you're talking about who supports political violence. Nobody on the other side is letting people off the hook for that kind of violence after they've been convicted. So give me a large break about who supports violence and who doesn't and which people in power are sanctioning violence and which are not.

And as for another piece of carping that I heard during this discussion in terms of when bills are taken up and when they're not, I think I remind my colleagues often: You want to control the agenda here? Go win the elections.

But you don't, because the people of this state are expressing themselves every two years, and they'll do so again. And what they've done is elected a historically large majority on this side of the aisle precisely so we can make a decision about which bills will pass, when they will pass, and why they will pass.

So vote no as you're entitled to.

These bills -- this bill will pass, I'm sure, as it should. And we'll continue governing the way we see fit.

Thank you, Mr. President. I vote aye.

ACTING PRESIDENT BAILEY: Senator Gianaris to be recorded in the affirmative.

Announce the results.

THE SECRETARY: In relation to Calendar 7, voting in the negative are Senators Borrello, Canzoneri-Fitzpatrick, Chan, Gallivan, Griffo, Helming, Lanza, Mattera, Murray, Oberacker, O'Mara, Ortt, Palumbo, Rhoads, Stec, Tedisco, Walczyk, Weber and Weik.

Ayes, 40. Nays, 19.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris, that completes the reading of today's controversial calendar.

SENATOR GIANARIS: Mr. President, on behalf of Majority Leader Stewart-Cousins I hand up the following committee assignments for the Majority Conference and ask that they be filed in the Journal.

ACTING PRESIDENT BAILEY: The

handup is received and shall be filed in the Journal.

SENATOR GIANARIS: Is there any further business at the desk?

ACTING PRESIDENT BAILEY: There is no further business at the desk.

SENATOR GIANARIS: I move to adjourn until tomorrow, Tuesday, January 13th, at 11:00 a.m.

ACTING PRESIDENT BAILEY: On motion, the Senate stands adjourned until Tuesday, January 13th, at 11:00 a.m.

(Whereupon, at 5:28 p.m., the Senate adjourned.)