

2116

2009-2010 Regular Sessions

I N   A S S E M B L Y

January 15, 2009

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Introduced by M. of A. BENJAMIN -- Multi-Sponsored by -- M. of A. CLARK  
-- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to qualifications of voters convicted of a felony; and repealing certain provisions of such law relating thereto

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

1     Section 1. Subdivisions 2, 3, 4 and 5 of section 5-106 of the election  
2     law are REPEALED and subdivision 6 is renumbered subdivision 2.  
3     S 2. Subdivision 1 of section 5-400 of the election law, as amended by  
4     chapter 659 of the laws of 1994, is amended to read as follows:  
5     1. A voter's registration, including the registration of a voter in  
6     inactive status, shall be cancelled if, since the time of his OR HER  
7     last registration, he OR SHE:  
8     (a) Moved his OR HER residence outside the city or county in which he  
9     OR SHE is registered.  
10    (b) [Was convicted of a felony disqualifying him from voting pursuant  
11    to the provisions of section 5-106 of this article.  
12    (c)] Has been adjudicated an incompetent.  
13    [(d)] (C) Refused to take a challenge oath.  
14    [(e)] (D) Has died.  
15    [(f)] (E) Did not vote in any election conducted by the board of  
16    elections during the period ending with the second general election at  
17    which candidates for federal office are on the ballot after his OR HER  
18    name was placed in inactive status and for whom the board of elections  
19    did not, during such period, in any other way, receive any information  
20    that such voter still resides in the same county or city.  
21    [(g)] (F) Personally requested to have his OR HER name removed from  
22    the list of registered voters.  
23    [(h)] (G) For any other reason, is no longer qualified to vote as  
24    provided in this chapter.  
25    S 3. Subdivision 2 of section 5-708 of the election law is REPEALED  
26    and subdivisions 3, 4, 5, 6 and 7 are renumbered 2, 3, 4, 5 and 6.  
27    S 4. This act shall take effect immediately.

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

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