S T A T E O F N E W Y O R K

2968

2009-2010 Regular Sessions

I N A S S E M B L Y

January 22, 2009

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

AN ACT to amend the election law, in relation to proof of citizenship as a qualification to register to vote

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

Section 1. Section 5-102 of the election law, subdivision 2 as amended by chapter 175 of the laws of 1988, is amended to read as follows:

S 5-102. Qualifications of voters; CITIZENSHIP, age and residence. 1. No person shall be qualified to register [for and] TO vote [at any election] unless he [is a citizen] OR SHE PROVIDES PROOF OF CITIZENSHIP of the United States [and], PROOF THAT HE OR SHE is or will be, on the day of [such] THE NEXT election, eighteen years of age or over, and PROOF THAT HE OR SHE IS a resident of this state and of the county, city or village for a minimum of thirty days next preceding such election. THE STATE BOARD OF ELECTIONS SHALL PROMULGATE SUCH RULES AND REGULATIONS AS SHALL BE NECESSARY TO ESTABLISH WHICH FORMS OF PROOF OF THE QUALIFICATIONS TO VOTE SHALL BE ACCEPTED BY BOARDS OF ELECTIONS.

2. The provisions herein with respect to a durational residency requirement for purposes of qualifying to vote shall not prohibit United States citizens otherwise qualified, from voting for president and vice president of the United States.

S 2. This act shall take effect immediately; provided that the state board of elections shall promulgate any rules and regulations necessary to implement the provisions of this act within 60 days of such effective date.

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

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