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

5401

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

Introduced by M. of A. SPANO, REILLY, FIELDS, ZEBROWSKI, MILLMAN -- Multi-Sponsored by -- M. of A. GABRYSZAK, JOHN -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to requiring a voter to produce identification prior to casting his or her vote on the voting machine; and to repeal section 8-303 of such law relating to initial voter identification

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

Section 1. Paragraph (a) of subdivision 2-a of section 8-302 of the election law, as added by chapter 179 of the laws of 2005, is amended to read as follows:

(a) [If a voter's name appears in the computer generated registration list with a notation indicating that the voter's identity was not yet verified as required by the federal Help America Vote Act, the] THE inspector shall require that the voter produce one of the following types of identification before permitting the voter to cast his or her vote on the voting machine:

(i) a driver's license or department of motor vehicles non-driver photo [ID] IDENTIFICATION card [or other current and valid photo identification]; OR

(ii) [a copy of a current utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the voter] A PHOTO IDENTIFICATION CARD ISSUED BY ANY PUBLIC OR PRIVATE COLLEGE OR UNIVERSITY IN THE UNITED STATES; OR

(III) SUCH OTHER DOCUMENTS FOR PROOF OF IDENTITY AS ARE PROVIDED FOR IN THE RULES AND REGULATIONS OF THE STATE BOARD OF ELECTIONS, WHICH TO THE EXTENT PRACTICABLE SHALL REFLECT THE SIX POINTS OF IDENTIFICATION ESTABLISHED BY THE RULES AND REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLES.

S 2. Section 8-303 of the election law is REPEALED.

S 3. This act shall take effect on the first of September next succeeding the date on which it shall have become a law.

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

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