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2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. BING, REILLY, MILLMAN, SCHROEDER, BROOK-KRASNY, WRIGHT, JAFFEE, KOON, DINOWITZ, ZEBROWSKI, GABRYSZAK, COOK, MAISEL -- Multi-Sponsored by -- M. of A. BRENNAN, GOTTFRIED, HEASTIE, JEFFRIES, MCENENY, PEOPLES, N. RIVERA, SWEENEY, WEISENBERG -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to voter registration and enrollment; and providing for the repeal of certain provisions upon expiration thereof

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

1 Section 1. Section 5-210 of the election law is amended by adding a
2 new subdivision 16 to read as follows:
3 16. THE STATE BOARD OF ELECTIONS IS REQUIRED TO DEVELOP AND IMPLEMENT
4 ON-LINE VOTER REGISTRATION FOR INDIVIDUALS WHO POSSESS A NEW YORK STATE
5 DRIVER'S LICENSE OR NEW YORK STATE ISSUED NON-DRIVER IDENTIFICATION
6 CARD. THE REGISTRATION SHALL INCLUDE ALL OTHER INFORMATION REQUIRED BY
7 THIS SECTION FOR WRITTEN REGISTRATION AND IN ADDITION ON-LINE APPLICANTS
8 SHALL BE REQUIRED TO PROVIDE A NEW YORK STATE DRIVER'S LICENSE OR NEW
9 YORK STATE NON-DRIVER IDENTIFICATION CARD. THE REGISTRATION ON-LINE
10 FORM SHALL BE FORWARDED BY THE STATE BOARD OF ELECTIONS TO THE APPROPRI-
11 ATE COUNTY BOARD OF ELECTIONS FOR PROCESSING IN THE USUAL MANNER.
12 S 2. Subdivision 5 of section 5-210 of the election law is amended by
13 adding a new paragraph (m) to read as follows:
14 (M) ALL PRINTED MAIL VOTER REGISTRATION APPLICATION FORMS PREPARED
15 PURSUANT TO THIS SECTION SHALL BE POSTAGE PREPAID SO THAT NO POSTAGE IS
16 NECESSARY IF MAILED IN THE UNITED STATES.
17 S 3. Paragraph (g) of subdivision 5 of section 5-210 of the election
18 law, as amended by chapter 179 of the laws of 2005, is amended to read
19 as follows:

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

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(g) Notice that the applicant must be a citizen of the United States, is or will be at least eighteen years old not later than December thirty-first of the calendar year in which he or she registers and a resident of the county or city to which application is made. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY PERSON AT LEAST SEVENTEEN YEARS OF AGE MAY MAKE AN APPLICATION FOR REGISTRATION UNDER THIS SECTION REGARDLESS OF WHETHER HE OR SHE BECOMES EIGHTEEN YEARS OF AGE BY ELECTION DAY.

S 4. Section 5-210 of the election law, is amended by adding a new subdivision 17 to read as follows:

17. THE STATE BOARD OF ELECTIONS SHALL CONDUCT A STUDY AND PREPARE A REPORT AND ISSUE RECOMMENDATIONS FOR IMPROVING VOTER REGISTRATION AMONG CITIZENS UNDER THE AGE OF TWENTY-FIVE YEARS. THE STUDY SHOULD ADDRESS, ALTHOUGH NOT BE LIMITED TO, THE FEASIBILITY OF DIRECTLY MAILING VOTER REGISTRATION MATERIALS TO NEW YORK STATE RESIDENTS EIGHTEEN YEARS OF AGE WHO POSSESS A RESIDENT DRIVER'S LICENSE OR A NON-DRIVER IDENTIFICATION CARD, RESIDENT FISHING, HUNTING, BOATING OR GUN LICENSES, ARE IN THE STATE FOSTER CARE SYSTEM, RECEIVE STATE WELFARE BENEFITS OR ARE ENROLLED IN CHILD HEALTH PLUS. SUCH STUDY AND REPORT SHALL BE COMPLETED BY DECEMBER FIRST, TWO THOUSAND NINE. COPIES OF SUCH REPORTS SHALL BE PROVIDED TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY.

S 5. Section 5-211 of the election law is amended by adding a new subdivision 18 to read as follows:

18. ALL COLLEGES, UNIVERSITIES, PUBLIC HIGH SCHOOLS AND PUBLIC LIBRARIES LOCATED IN THIS STATE AND ALL STATE AGENCIES, DEPARTMENTS, DIVISIONS AND OFFICES NOT SPECIFICALLY DESIGNATED AS PARTICIPATING AGENCIES UNDER THIS SECTION SHALL MAKE VOTER REGISTRATION FORMS AVAILABLE TO ANY PERSONS USING OR VISITING THEIR PREMISES.

S 6. The opening paragraph of section 5-211 of the election law, as amended by chapter 200 of the laws of 1996, is amended to read as follows:

Each agency designated as a participating agency under the provisions of this section shall implement and administer a program of distribution of voter registration forms pursuant to the provisions of this section. The following offices which provide public assistance and/or provide state funded programs primarily engaged in providing services to persons with disabilities are hereby designated as voter registration agencies: designated as the state agencies which provide public assistance are the department of social services and the department of health. Also designated as public assistance agencies are all agencies of local government that provide such assistance. Designated as state agencies that provide programs primarily engaged in providing services to people with disabilities are the department of labor, office for the aging, division of veterans' affairs, office of mental health, office of vocational and educational services for individuals with disabilities, commission on quality of care for the mentally disabled, office of mental retardation and developmental disabilities, commission for the blind and visually handicapped, office of alcoholism and substance abuse services, the office of the advocate for the disabled and all offices which administer programs established or funded by such agencies. Additional state agencies designated as voter registration offices are the department of state and the division of workers' compensation. Such agencies shall be required to offer voter registration forms to persons upon initial application for services, renewal or recertification for services and change of address relating to such services. Such agencies shall also be responsible for providing assistance to applicants in completing voter

1 registration forms, receiving and transmitting the completed application
2 form from all applicants who wish to have such form transmitted to the
3 appropriate board of elections. The state board of elections shall,
4 together with representatives of the department of defense, develop and
5 implement procedures for including recruitment offices of the armed
6 forces of the United States as voter registration offices when such
7 offices are so designated by federal law. The state board shall also
8 make request of the United States Immigration and Naturalization Service
9 to include applications for registration by mail with any materials
10 which are given to new citizens. All institutions of the state univer-
11 sity of New York and the city university of New York, AND ALL PRIVATE
12 COLLEGES AND UNIVERSITIES LOCATED IN THE STATE shall, at the beginning
13 of the school year, and again in January of a year in which the presi-
14 dent of the United States is to be elected, [provide] MAIL an applica-
15 tion for registration to each student in each such institution AT THEIR
16 LAST KNOWN ADDRESS AT SUCH INSTITUTION. The state board of elections
17 may, by regulation, grant a waiver from any or all of the requirements
18 of this section to any office or program of an agency, if it determines
19 that it is not feasible for such office or program to administer such
20 requirement.

21 S 7. This act shall take effect immediately, provided that section
22 four of this act shall expire and be deemed repealed 3 years after such
23 date.