

1872

2009-2010 Regular Sessions

I N   S E N A T E

February 9, 2009

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Introduced by Sens. KLEIN, DILAN -- read twice and ordered printed, and  
when printed to be committed to the Committee on Elections

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 ASSEM-  
BLY, 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:  
20    (g) Notice that the applicant must be a citizen of the United States,  
21    is or will be at least eighteen years old not later than December thir-  
22    ty-first of the calendar year in which he or she registers and a resi-  
23    dent of the county or city to which application is made. NOTWITHSTANDING  
24    ANY OTHER PROVISION OF LAW, ANY PERSON AT LEAST SEVENTEEN YEARS OF AGE

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

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1 MAY MAKE AN APPLICATION FOR REGISTRATION UNDER THIS SECTION REGARDLESS  
2 OF WHETHER HE OR SHE BECOMES EIGHTEEN YEARS OF AGE BY ELECTION DAY.

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

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

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

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

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

27 Each agency designated as a participating agency under the provisions  
28 of this section shall implement and administer a program of distribution  
29 of voter registration forms pursuant to the provisions of this section.  
30 The following offices which provide public assistance and/or provide  
31 state funded programs primarily engaged in providing services to persons  
32 with disabilities are hereby designated as voter registration agencies:  
33 designated as the state agencies which provide public assistance are the  
34 department of social services and the department of health. Also desig-  
35 nated as public assistance agencies are all agencies of local government  
36 that provide such assistance. Designated as state agencies that provide  
37 programs primarily engaged in providing services to people with disabil-  
38 ities are the department of labor, office for the aging, division of  
39 veterans' affairs, office of mental health, office of vocational and  
40 educational services for individuals with disabilities, commission on  
41 quality of care for the mentally disabled, office of mental retardation  
42 and developmental disabilities, commission for the blind and visually  
43 handicapped, office of alcoholism and substance abuse services, the  
44 office of the advocate for the disabled and all offices which administer  
45 programs established or funded by such agencies. Additional state agen-  
46 cies designated as voter registration offices are the department of  
47 state and the division of workers' compensation. Such agencies shall be  
48 required to offer voter registration forms to persons upon initial  
49 application for services, renewal or recertification for services and  
50 change of address relating to such services. Such agencies shall also be  
51 responsible for providing assistance to applicants in completing voter  
52 registration forms, receiving and transmitting the completed application  
53 form from all applicants who wish to have such form transmitted to the  
54 appropriate board of elections. The state board of elections shall,  
55 together with representatives of the department of defense, develop and  
56 implement procedures for including recruitment offices of the armed

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

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