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

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2011-2012 Regular Sessions

I N A S S E M B L Y

June 3, 2011

Introduced by M. of A. LAVINE, GOTTFRIED, LINARES, THIELE, REILLY, PAULIN, MENG, GALEF, SPANO, ROSENTHAL, ORTIZ, M. MILLER, N. RIVERA, CAHILL, MOLINARO, P. RIVERA, MARKEY, GABRYSZAK, ENGLEBRIGHT, ROBERTS, ABINANTI, CASTRO, WEPRIN, TENNEY -- Multi-Sponsored by -- M. of A. BOYLAND, CERETTO, GOODELL, MAGEE, SWEENEY, WEISENBERG -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to establishing the online voter registration act of 2011

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

Section 1. Short title. This act shall be known and may be cited as the "online voter registration act of 2011".

S 2. The election law is amended by adding a new section 5-205 to read as follows:

S 5-205. ONLINE REGISTRATION. 1. A. THE NEW YORK STATE BOARD OF ELECTIONS SHALL ENSURE THAT THE FOLLOWING SERVICES ARE AVAILABLE TO THE PUBLIC AT ANY TIME ON THE OFFICIAL PUBLIC WEBSITES OF THE APPROPRIATE STATE AND LOCAL ELECTION OFFICIALS:

(I) ONLINE APPLICATION FOR VOTER REGISTRATION, THE CONTENT OF WHICH SHALL BE SUBSTANTIALLY IDENTICAL TO THE FORM PROVIDED FOR IN THIS ARTICLE;

(II) ONLINE ASSISTANCE TO THOSE APPLYING TO REGISTER TO VOTE;

(III) ONLINE COMPLETION AND SUBMISSION BY APPLICANTS OF THE VOTER REGISTRATION FORM, INCLUDING, BUT NOT LIMITED TO THE ELECTRONIC SIGNATURE OF THE APPLICANT PURSUANT TO PARAGRAPH B OF THIS SUBDIVISION; AND

(IV) ONLINE RECEIPT OF COMPLETED VOTER REGISTRATION APPLICATIONS.

B. AN APPLICATION SUBMITTED ONLINE PURSUANT TO THIS SECTION SHALL BE DEEMED SUBMITTED ON THE DATE IT IS SENT.

C. AN APPLICANT FOR VOTER REGISTRATION UNDER THIS SECTION SHALL HAVE THEIR SIGNATURE ON FILE AT THE NEW YORK STATE DEPARTMENT OF MOTOR VEHI-

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

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CLES OR THE DEPARTMENT OF SOCIAL SERVICES SENT ELECTRONICALLY TO THE NEW YORK STATE BOARD OF ELECTIONS TO COMPLETE THEIR APPLICATION.

2. A. UPON RECEIPT OF A COMPLETED VOTER REGISTRATION APPLICATION UNDER THIS SECTION, THE OFFICIAL WEBSITE SHALL GENERATE AN IMMEDIATE ELECTRONIC CONFIRMATION THAT THE APPLICATION HAS BEEN RECEIVED, WITH INSTRUCTIONS AS TO HOW THE APPLICANT MAY CHECK THE STATUS OF THE APPLICATION THEREAFTER.

B. THE APPROPRIATE STATE OR LOCAL OFFICIAL SHALL INFORM THE APPLICANT FOR VOTER REGISTRATION OF THE DISPOSITION OF THE APPLICATION BY REGULAR MAIL PURSUANT TO SUBDIVISION NINE OF SECTION 5-210 OF THIS TITLE AND, AT THE OPTION OF THE APPLICANT, BY ELECTRONIC MAIL.

C. NO LEGAL DISTINCTION SHALL BE MADE BETWEEN REGISTRATION UNDER THIS SECTION AND IN-PERSON, MAIL, OR ANY OTHER VALID REGISTRATION METHODS.

3. A. THE NEW YORK STATE BOARD OF ELECTIONS SHALL ENSURE THAT ANY LEGALLY REGISTERED VOTER ON THE STATE COMPUTERIZED LIST MAY AT ANY TIME UPDATE SUCH VOTER'S REGISTRATION INFORMATION, INCLUDING, BUT NOT LIMITED TO SUCH VOTER'S ADDRESS AND ELECTRONIC MAIL ADDRESS, ONLINE THROUGH THE OFFICIAL PUBLIC WEBSITE OF THE LIST, OR THE WEBSITE OF ANY AGENCY AT WHICH THE VOTER MAY UPDATE THE INFORMATION IN PERSON.

B. THE NEW YORK STATE BOARD OF ELECTIONS SHALL REVISE ANY INFORMATION ON THE COMPUTERIZED LIST TO REFLECT THE UPDATE MADE BY THE VOTER AT ANY TIME UP TO AND INCLUDING SEVEN DAYS BEFORE THE DATE OF THE NEXT ELECTION.

C. UPON THE ONLINE SUBMISSION OF UPDATED REGISTRATION INFORMATION UNDER THIS SUBDIVISION, THE APPROPRIATE STATE OR LOCAL ELECTION OFFICIAL SHALL SEND A NOTICE CONFIRMING RECEIPT OF THE UPDATED INFORMATION BY REGULAR MAIL, AND, AT THE OPTION OF THE VOTER, BY ELECTRONIC MAIL.

S 3. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized to be made on or before such date.