#### 9661

### IN ASSEMBLY

March 23, 2012

- Introduced by M. of A. AUBRY, COOK, CRESPO, HEASTIE, JEFFRIES, PEOPLES-STOKES, PRETLOW, ROBERTS -- Multi-Sponsored by -- M. of A. RAMOS, ROBINSON, RODRIGUEZ -- read once and referred to the Committee on Election Law
- AN ACT to amend the education law and the town law, in relation to clarifying that individuals have the ability to vote by absentee ballot where their maximum sentence of imprisonment has expired

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

1 Section 1. Paragraph b of subdivision 5 of section 2018-a of the 2 education law, as amended by section 8 of part LL of chapter 56 of the 3 laws of 2010, is amended to read as follows:

- 4 b. On the reverse side of such envelope shall be printed the following 5 statement:
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### STATEMENT OF ABSENTEE VOTER

7 I do declare that I am a citizen of the United States, and will be at least eighteen years of age, on the date of the school district 8 election; that I will have been a resident of this state and 9 of the school district and school election district, if any, shown on the 10 reverse side of this envelope for thirty days next preceding the said 11 election and duly registered in the school district and school election 12 district, if any, shown on the reverse side of this envelope and that I 13 am 14 or on such date will be, a qualified voter of said school district; that I will be unable to appear personally on the day of said school 15 16 district election at the polling place of the said district in which I am or will be a qualified voter because of the reason stated on my 17 application heretofore submitted; that I have not qualified, or do I 18 intend to vote, elsewhere than as set forth on the reverse side of this 19 20 envelope; that I have not received or offered, do not expect to receive, 21 have not paid, offered or promised to pay, contributed, offered or prom-22 ised to contribute to another to be paid or used, any money or other valuable thing, as a compensation or reward for the giving or withhold-23

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

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ing of a vote at this school district election, and have not made any 1 2 promise to influence the giving or withholding of any such votes; that I 3 have not made or become directly or indirectly interested in any bet or 4 wager depending upon the result of this school district election; and 5 that I have not been convicted of bribery or any infamous crime, or, if 6 so convicted, that I have been pardoned or restored to all the rights of 7 citizen, without restriction as to the right of suffrage, or received а 8 a certificate of relief from disabilities or a certificate of qood conduct pursuant to article twenty-three of the correction law removing 9 10 my disability to register and vote OR MY MAXIMUM SENTENCE OF IMPRISON-MENT HAS EXPIRED OR I HAVE BEEN DISCHARGED FROM PAROLE. 11

I hereby declare that the foregoing is a true statement to the best of my knowledge and belief, and I understand that if I make any material false statement in the foregoing statement of absentee voter, I shall be guilty of a misdemeanor.

16 Date.....Signature of Voter .....

17 S 2. Paragraph b of subdivision 6 of section 2018-b of the education 18 law, as amended by section 9 of part LL of chapter 56 of the laws of 19 2010, is amended to read as follows:

20 b. On the reverse side of such envelope shall be printed the following 21 statement:

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# STATEMENT OF ABSENTEE VOTER

23 I do declare that I am a citizen of the United States, and will be at 24 least eighteen years of age on the date of the school district election; 25 I will have been a resident of this state and of the school that district and school election district, if any, shown on the reverse side 26 of this envelope for thirty days next preceding the said election and 27 28 I am or on such date will be, a qualified voter of said school that 29 district; that I will be unable to appear personally on the day of said school district election at the polling place of the said district in 30 which I am or will be a qualified voter because of the reason stated on 31 32 application heretofore submitted; that I have not qualified, or do I mγ 33 intend to vote, elsewhere than as set forth on the reverse side of this 34 envelope; that I have not received or offered, do not expect to receive, have not paid, offered or promised to pay, contributed, offered or prom-35 ised to contribute to another to be paid or used, any money or other 36 37 valuable thing, as a compensation or reward for the giving or withholding of a vote at this school district election, and have not made any 38 39 promise to influence the giving or withholding of any such votes; that I 40 have not made or become directly or indirectly interested in any bet or 41 wager depending upon the result of this school district election; and that I have not been convicted of bribery or any infamous crime, or, 42 if 43 so convicted, that I have been pardoned or restored to all the rights of 44 а citizen, without restriction as to the right of suffrage, or have 45 received a certificate of relief from disabilities or a certificate of 46 good conduct pursuant to article twenty-three of the correction law removing my disability to vote OR MY MAXIMUM SENTENCE OF IMPRISONMENT 47 HAS EXPIRED OR I HAVE BEEN DISCHARGED FROM PAROLE. 48

I hereby declare that the foregoing is a true statement to the best of my knowledge and belief, and I understand that if I make any material

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false statement in the foregoing statement of absentee voter, I shall be 1 2 guilty of a misdemeanor.

3 Date.....Signature of Voter .....

4 3. Paragraph b of subdivision 5 of section 84-a of the town law, as S amended by section 10 of part LL of chapter 56 of the laws of 5 2010, is 6 amended to read as follows:

7 b. On the reverse side of such envelope shall be printed the following 8 statement: 9

### STATEMENT OF ABSENTEE VOTER

do declare that I will have been a citizen of the United States for 10 I thirty days, and will be at least eighteen years of age, on the date of 11 12 special town election; that I will have been a resident of this the 13 state and of the town shown on the reverse side of this envelope for 14 thirty days next preceding the said election; that I am or on such date will be, a registered voter of said town; that 15 I will be unable to appear personally on the day of said special town election at the poll-16 17 ing place of the election district in which I am or will be a qualified voter because of the reason stated on my application heretofore submit-18 19 ted; that I have not qualified, or do I intend to vote, elsewhere than 20 set forth on the reverse side of this envelope; that I have not as received or offered, do not expect to receive, have not paid, offered or 21 22 promised to pay, contributed, offered or promised to contribute to 23 another to be paid or used, any money or other valuable thing, as a 24 compensation or reward for the giving or withholding of a vote at this special town election, and have not made any promise to influence the giving or withholding of any such votes; that I have not made or become 25 26 27 directly or indirectly interested in any bet or wager depending upon the result of this special town election; and that I have not been convicted 28 bribery or any infamous crime, or, if so convicted, that I have been 29 of 30 pardoned or restored to all the rights of a citizen, without restriction 31 as to the right of suffrage, or received a certificate of relief from disabilities or a certificate of good conduct pursuant to article twen-32 ty-three of the correction law removing my disability to register 33 and 34 VOLE OR MY MAXIMUM SENTENCE OF IMPRISONMENT HAS EXPIRED OR I HAVE BEEN 35 DISCHARGED FROM PAROLE.

I hereby declare that the foregoing is a true statement to the best of my knowledge and belief, and I understand that if I make any material 36 37 38 false statement in the foregoing statement of absentee voter, I shall be 39 guilty of a misdemeanor.

Date..... Signature of Voter.....

41 S 4. Paragraph b of subdivision 5 of section 175-b of the town law, as 42 amended by section 11 of part LL of chapter 56 of the laws of 2010, is 43 amended to read as follows:

44 On the reverse side of such envelope shall be printed the followb. 45 ing statement:

#### STATEMENT OF ABSENTEE VOTER

47 do declare that I will have been a citizen of the United States for I 48 thirty days, and will be at least eighteen years of age, on the date of 49 the district election; that I will have been a resident of this state and of the district if any, shown on the reverse side of this 50 envelope thirty days next preceding the said election and that I am or on 51 for 52 such date will be, a registered voter of said district; that I will be 53 unable to appear personally on the day of said district election at the polling place of the said district in which I am or will be a qualified 54

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voter because of the reason stated on my application heretofore submit-1 2 ted; that I have not qualified, or do I intend to vote, elsewhere than 3 set forth on the reverse side of this envelope; that I have not as 4 received or offered, do not expect to receive, have not paid, offered or 5 promised to pay, contributed, offered or promised to contribute to 6 another to be paid or used, any money or other valuable thing, as a 7 compensation or reward for the giving or withholding of a vote at this 8 district election, and have not made any promise to influence the giving or withholding of any such votes; that I have not made or become direct-9 10 ly or indirectly interested in any bet or wager depending upon the result of this district election; and that I have not been convicted of 11 12 bribery or any infamous crime, or, if so convicted, that I have been pardoned or restored to all the rights of a citizen, without restriction 13 14 to the right of suffrage, or received a certificate of relief from as 15 disabilities or a certificate of good conduct pursuant to article twen-16 ty-three of the correction law removing my disability to register and 17 VOLE OR MY MAXIMUM SENTENCE OF IMPRISONMENT HAS EXPIRED OR I HAVE BEEN 18 DISCHARGED FROM PAROLE.

I hereby declare that the foregoing is a true statement to the best of my knowledge and belief, and I understand that if I make any material false statement in the foregoing statement of absentee voter, I shall be guilty of a misdemeanor.

Date.....Signature of Voter.....

S 5. Paragraph b of subdivision 5 of section 213-b of the town law, as amended by section 12 of part LL of chapter 56 of the laws of 2010, is amended to read as follows:

27 b. On the reverse side of such envelope shall be printed the follow-28 ing statement:

# STATEMENT OF ABSENTEE VOTER

30 I do declare that I will have been a citizen of the United States for 31 thirty days, and will be at least eighteen years of age, on the date of 32 the district election; that I will have been a resident of this state 33 and of the district if any, shown on the reverse side of this envelope for thirty days next preceding the said election and that I am or 34 on 35 such date will be, a registered voter of said district; that I will be 36 unable to appear personally on the day of said district election at the 37 polling place of the said district in which I am or will be a qualified 38 voter because of the reason stated on my application heretofore submit-39 that I have not qualified, or do I intend to vote, elsewhere than ted; as set forth on the reverse side of this envelope; that I have not 40 received or offered, do not expect to receive, have not paid, offered or 41 42 promised to pay, contributed, offered or promised to contribute to 43 another to be paid or used, any money or other valuable thing, as a 44 compensation or reward for the giving or withholding of a vote at this district election, and have not made any promise to influence the giving 45 or withholding of any such votes; that I have not made or become direct-46 ly or indirectly interested in any bet or wager depending upon the result of this district election; and that I have not been convicted of 47 48 49 bribery or any infamous crime, or, if so convicted, that I have been 50 pardoned or restored to all the rights of a citizen, without restriction to the right of suffrage, or received a certificate of relief from 51 as disabilities or a certificate of good conduct pursuant to article twen-52 53 ty-three of the correction law removing my disability to register and 54 VOTE OR MY MAXIMUM SENTENCE OF IMPRISONMENT HAS EXPIRED OR I HAVE BEEN 55 DISCHARGED FROM PAROLE.

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I hereby declare that the foregoing is a true statement to the best of my knowledge and belief, and I understand that if I make any material false statement in the foregoing statement of absentee voter, I shall be guilty of a misdemeanor.