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

5760

2011-2012 Regular Sessions

I N A S S E M B L Y

February 28, 2011

Introduced by M. of A. P. RIVERA -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to requiring boards of election to collect race and ethnicity information on persons registering to vote

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

Section 1. Section 3-102 of the election law is amended by adding a new subdivision 2-a to read as follows:

2-A. PREPARE AND ESTABLISH UNIFORM PROVISIONS FOR THE DESIGNATION OF EACH VOTER'S RACE AND/OR ETHNICITY ON REGISTRATION AND CHANGE OF ADDRESS FORMS. IN ADDITION, THE STATE BOARD OF ELECTIONS SHALL RECEIVE, FROM EACH BOARD OF ELECTIONS, INFORMATION ON THE RACE AND ETHNICITY OF VOTERS. SUCH INFORMATION SHALL BE MAINTAINED ON A COMPUTERIZED DATABASE.

S 2. Section 3-212 of the election law is amended by adding a new subdivision 6 to read as follows:

6. EACH BOARD OF ELECTIONS SHALL MAINTAIN A RECORD OF THE RACE AND ETHNICITY OF REGISTERED VOTERS. ON OR BEFORE JANUARY FIRST EACH YEAR, EACH SUCH BOARD SHALL REPORT THE RACE AND ETHNICITY INFORMATION TO THE STATE BOARD OF ELECTIONS.

S 3. Subdivision 3 of section 5-204 of the election law is amended by adding a new paragraph a-1 to read as follows:

A-1. EVERY REGISTRATION FORM SHALL INCLUDE PROVISIONS IN WHICH THE APPLICANT SHALL DESIGNATE HIS OR HER RACE AND/OR ETHNICITY; PROVIDED, HOWEVER, THAT SUCH PROVISIONS SHALL INCLUDE A SPACE IN WHICH THE APPLICANT MAY AFFIRMATIVELY REFUSE TO PROVIDE SUCH INFORMATION.

S 4. Section 5-208 of the election law is amended by adding a new subdivision 1-a to read as follows:

1-A. EVERY SUCH NOTICE OF CHANGE OF ADDRESS SHALL INCLUDE PROVISIONS IN WHICH THE VOTER SHALL DESIGNATE HIS OR HER RACE AND/OR ETHNICITY;

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

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PROVIDED, HOWEVER, THAT SUCH PROVISIONS SHALL INCLUDE A SPACE IN WHICH THE VOTER MAY AFFIRMATIVELY REFUSE TO PROVIDE SUCH INFORMATION.

S 5. Paragraph (k) of subdivision 5 of section 5-210 of the election law is amended by adding a new subparagraph (xiii) to read as follows:

(XIII) A SPACE IN WHICH THE APPLICANT SHALL DESIGNATE HIS OR HER RACE AND/OR ETHNICITY; PROVIDED, HOWEVER, THAT SUCH SPACE SHALL INCLUDE A LINE ON WHICH THE APPLICANT MAY AFFIRMATIVELY REFUSE TO PROVIDE SUCH INFORMATION.

S 6. This act shall take effect immediately, except that sections two, three, four and five of this act shall take effect on the first of January next succeeding the date on which it shall have become a law.