

376

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. MONTGOMERY -- read twice and ordered printed, and
when printed to be committed to the Committee on Education

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:

6 STATEMENT OF ABSENTEE VOTER

7 I do declare that I am a citizen of the United States, and will be at
8 least eighteen years of age, on the date of the school district
9 election; that I will have been a resident of this state and of the
10 school district and school election district, if any, shown on the
11 reverse side of this envelope for thirty days next preceding the said
12 election and duly registered in the school district and school election
13 district, if any, shown on the reverse side of this envelope and that I
14 am or on such date will be, a qualified voter of said school district;
15 that I will be unable to appear personally on the day of said school
16 district election at the polling place of the said district in which I
17 am or will be a qualified voter because of the reason stated on my
18 application heretofore submitted; that I have not qualified, or do I
19 intend to vote, elsewhere than as set forth on the reverse side of this
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-

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

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

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

18 Date.....Signature of Voter

19 S 2. Paragraph b of subdivision 6 of section 2018-b of the education
20 law, as amended by section 9 of part LL of chapter 56 of the laws of
21 2010, is amended to read as follows:

22 b. On the reverse side of such envelope shall be printed the following
23 statement:

24 STATEMENT OF ABSENTEE VOTER

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

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

5 Date.....Signature of Voter

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

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

11 STATEMENT OF ABSENTEE VOTER

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

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

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

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

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

48 STATEMENT OF ABSENTEE VOTER

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

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

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

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

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

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

31 STATEMENT OF ABSENTEE VOTER

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

1 vote OR MY MAXIMUM SENTENCE OF IMPRISONMENT HAS EXPIRED OR I HAVE BEEN
2 DISCHARGED FROM PAROLE.

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

7 Date..... Signature of Voter

8 S 6. This act shall take effect immediately.