

5858

2013-2014 Regular Sessions

I N   A S S E M B L Y

March 7, 2013

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Introduced by M. of A. GALEF, DINOWITZ, MILLMAN, ARROYO, JAFFEE, KAVANAGH, CAMARA, KOLB, GIGLIO -- Multi-Sponsored by -- M. of A. BOYLAND, BROOK-KRASNY, CAHILL, CLARK, COLTON, DUPREY, FINCH, GOTTFRIED, McDONOUGH, PAULIN, SCARBOROUGH, THIELE -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to including e-mail addresses in voter registration data

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

1     Section 1. Paragraphs (k) and (l) of subdivision 5 of section 5-210 of  
2     the election law, as amended by chapter 179 of the laws of 2005, subparagraph (xii) of paragraph (k) as added by chapter 362 of the laws of  
3     2008, are amended to read as follows:  
4     (k) The form shall also include space for the following information,  
5     which must be contained on the inside of the form after it is folded for  
6     mailing:  
7     (i) A space for the applicant to indicate whether or not he or she has  
8     ever voted or registered to vote before and, if so, the approximate year  
9     in which such applicant last voted or registered and his or her name and  
10    address at the time.  
11    (ii) The name and residence address of the applicant including the zip  
12    code and apartment number, if any.  
13    (iii) A SPACE FOR THE FURNISHING OF AN E-MAIL ADDRESS, THE FURNISHING  
14    OF WHICH SHALL BE OPTIONAL, TOGETHER WITH A NOTICE STATING THAT IF AN  
15    E-MAIL ADDRESS IS FURNISHED, ALL NOTICES AND COMMUNICATIONS OTHERWISE  
16    REQUIRED TO BE SENT BY THE STATE BOARD OF ELECTIONS TO THE VOTER BY  
17    POSTAL MAIL SHALL BE SENT BY E-MAIL IN ADDITION TO POSTAL MAIL. COUNTY  
18    BOARDS OF ELECTIONS AND THE BOARD OF ELECTIONS OF THE CITY OF NEW YORK  
19    SHALL HAVE THE OPTION OF SENDING NOTICES AND COMMUNICATIONS OTHERWISE  
20    REQUIRED TO BE SENT TO THE VOTER BY POSTAL MAIL BY E-MAIL IN ADDITION TO  
21    POSTAL MAIL IF THE VOTER FURNISHES AN EMAIL ADDRESS.  
22

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

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1 (IV) The date of birth of the applicant.  
2 [(iv)] (V) A space for the applicant to indicate his or her driver's  
3 license or department of motor vehicles non-driver photo ID number or  
4 the last four digits of his or her social security number or, if the  
5 applicant does not have either such number, a space for the applicant to  
6 indicate he or she does not have either.  
7 [(v)] (VI) A space for the applicant to indicate whether or not he or  
8 she is a citizen of the United States and the statement "If you checked  
9 "no" in response to this question, do not complete this form."  
10 [(vi)] (VII) A space for the applicant to answer the question "Will  
11 you be 18 years of age on or before election day?" and the statement "If  
12 you checked "no" in response to this question, do not complete this form  
13 unless you will be 18 by the end of the year."  
14 [(vii)] (VIII) A statement informing the applicant that if the form is  
15 submitted by mail and the applicant is registering for the first time,  
16 certain information or documents must be submitted with the mail-in  
17 registration form in order to avoid additional identification require-  
18 ments upon voting for the first time. Such information and documents  
19 are:  
20 (A) a driver's license or department of motor vehicles non-driver  
21 photo ID number; or  
22 (B) the last four digits of the individual's social security number;  
23 or  
24 (C) a copy of a current and valid photo identification; or  
25 (D) a copy of a current utility bill, bank statement, government  
26 check, paycheck or other government document that shows the name and  
27 address of the voter.  
28 [(viii)] (IX) The gender of the applicant (optional).  
29 [(ix)] (X) A space for the applicant to indicate his or her choice of  
30 party enrollment, with a clear alternative provided for the applicant to  
31 decline to affiliate with any party.  
32 [(x)] (XI) The telephone number of the applicant (optional).  
33 [(xi)] (XII) A place for the applicant to execute the form on a line  
34 which is clearly labeled "signature of applicant" preceded by the  
35 following specific form of affirmation:  
36 AFFIDAVIT: I swear or affirm that:  
37 \* I am a citizen of the United States.  
38 \* I will have lived in the county, city, or village for at least 30  
39 days before the election.  
40 \* I meet all the requirements to register to vote in New York  
41 State.  
42 \* This is my signature or mark on the line below.  
43 \* All the information contained on this application is true. I  
44 understand that if it is not true I can be convicted and fined up  
45 to \$5,000 and/or jailed for up to four years.  
46 which form of affirmation shall be followed by a space for the date and  
47 the aforementioned line for the applicant's signature.  
48 [(xii)] (XIII) A space for the applicant to register in the New York  
49 state donate life registry for organ and tissue donations established  
50 pursuant to section forty-three hundred ten of the public health law.  
51 (1) The mail voter registration application form developed by the  
52 federal election commission pursuant to the provisions of section nine  
53 of the National Voter Registration Act of 1993 42 USC 1973gg-7 shall be  
54 deemed to meet the requirements of this section. Any application for  
55 registration received on such an application form shall be accepted if  
56 the applicant is otherwise eligible to register to vote pursuant to the

1 provisions of this article. A VOTER WHOSE REGISTRATION IS ACCEPTED  
2 PURSUANT TO THE PROVISIONS OF THIS PARAGRAPH SHALL BE PERMITTED TO  
3 FURNISH AN E-MAIL ADDRESS TO THE BOARD OF ELECTIONS, WHICH FURNISHING  
4 SHALL CARRY THE SAME NOTICE AND HAVE THE SAME EFFECT AS PROVIDED BY  
5 SUBPARAGRAPH (III) OF PARAGRAPH (K) OF THIS SUBDIVISION.

6 S 2. Paragraph d of subdivision 4 of section 5-500 of the election  
7 law, as amended by chapter 659 of the laws of 1994, is amended to read  
8 as follows:

9 d. The residence address at which the voter claims to reside and post  
10 office address, if not the same; and the number or designation of the  
11 room, apartment, or floor occupied by the voter if he OR SHE does not  
12 claim the entire building as his OR HER residence; AND IN ADDITION,  
13 SPACE FOR THE FURNISHING OF AN E-MAIL ADDRESS, THE FURNISHING OF WHICH  
14 SHALL BE OPTIONAL, TOGETHER WITH A NOTICE STATING THAT IF AN E-MAIL  
15 ADDRESS IS FURNISHED, ALL NOTICES AND COMMUNICATIONS OTHERWISE REQUIRED  
16 TO BE SENT BY THE STATE BOARD OF ELECTIONS TO THE VOTER BY POSTAL MAIL  
17 SHALL BE SENT BY E-MAIL IN ADDITION TO POSTAL MAIL. COUNTY BOARDS OF  
18 ELECTIONS AND THE BOARD OF ELECTIONS OF THE CITY OF NEW YORK SHALL HAVE  
19 THE OPTION OF SENDING NOTICES AND COMMUNICATIONS OTHERWISE REQUIRED TO  
20 BE SENT TO THE VOTER BY POSTAL MAIL BY E-MAIL IN ADDITION TO POSTAL MAIL  
21 IF THE VOTER FURNISHES AN E-MAIL ADDRESS;

22 S 3. This act shall take effect on the first of January next succeed-  
23 ing the date on which it shall have become a law; provided that the  
24 state board of elections is authorized to promulgate any and all rules  
25 and regulations and take any other measures necessary to implement this  
26 act on its effective date on or before such date.