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

100

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

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

AN ACT to amend the election law, in relation to verification of voter registration

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

Section 1. Subdivision 2-a of section 8-302 of the election law, as added by chapter 179 of the laws of 2005, is amended to read as follows:

2-a. (a) [If a voter's name appears in the computer generated registration list with a notation indicating that the voter's identity was not yet verified as required by the federal Help America Vote Act, the] THE inspector shall require that the voter produce [one of the following types of identification] A DRIVER'S LICENSE OR DEPARTMENT OF MOTOR VEHICLES NON-DRIVER PHOTO ID CARD OR OTHER CURRENT AND VALID PHOTO IDENTIFICATION before permitting the voter to cast his or her vote on the voting machine[:

(i) a driver's license or department of motor vehicles non-driver photo ID card or other current and valid photo identification;

(ii) a copy of a current utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the voter].

(b) If the voter produces an identification document listed in paragraph (a) of this subdivision, the inspector shall indicate so in the computer generated registration list, the voter will be deemed verified as required by the federal Help America Vote Act and the voter shall be permitted to cast his or her vote on the voting machine.

(c) If the voter does not produce an identification document listed in paragraph (a) of this subdivision, the voter shall only be entitled to vote by affidavit ballot unless a court order provides otherwise.

S 2. This act shall take effect immediately.

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

LBD01955-01-3