

4802

2015-2016 Regular Sessions

I N S E N A T E

April 17, 2015

Introduced by Sen. ESPAILLAT -- 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 designating the state and city universities of New York as participating agencies for voter registration form distribution and assistance, and permitting independent institutions of higher education to do the same upon request

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

1 Section 1. The opening paragraph of section 5-211 of the election law,
2 as amended by chapter 265 of the laws of 2013, is amended to read as
3 follows:
4 Each agency designated as a participating agency under the provisions
5 of this section shall implement and administer a program of distribution
6 of voter registration forms pursuant to the provisions of this section.
7 The following offices which provide public assistance and/or provide
8 state funded programs primarily engaged in providing services to persons
9 with disabilities are hereby designated as voter registration agencies:
10 designated as the state agencies which provide public assistance are the
11 office of children and family services, the office of temporary and
12 disability assistance, THE DEPARTMENT OF FAMILY ASSISTANCE and the
13 department of health. Also designated as public assistance agencies are
14 all agencies of local government that provide such assistance. Desig-
15 nated as state agencies that provide programs primarily engaged in
16 providing services to people with disabilities are the department of
17 labor, office for the aging, division of veterans' affairs, office of
18 mental health, office of vocational and educational services for indi-
19 viduals with disabilities, commission on quality of care for the mental-
20 ly disabled, office of mental retardation and developmental disabili-
21 ties, commission for the blind, office of alcoholism and substance abuse
22 services, the office of the advocate for the disabled and all offices
23 which administer programs established or funded by such agencies. Addi-

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

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1 tional [state] PARTICIPATING agencies designated as voter registration
2 offices are the department of state [and], the [division] DISTRICT
3 OFFICES of THE workers' compensation BOARD, AND ALL INSTITUTIONS OF THE
4 STATE UNIVERSITY OF NEW YORK AND THE CITY UNIVERSITY OF NEW YORK; AND
5 ANY DEGREE-GRANTING INSTITUTION OF HIGHER EDUCATION DESCRIBED IN ARTI-
6 CLES ONE HUNDRED FIFTEEN, ONE HUNDRED TWENTY-ONE, ONE HUNDRED
7 TWENTY-THREE, ONE HUNDRED TWENTY-SIX AND ONE HUNDRED TWENTY-NINE OF
8 TITLE VII OF THE EDUCATION LAW WHICH ELECTS TO BE A PARTICIPATING AGENCY
9 BY FILING WITH THE STATE BOARD OF ELECTIONS A NOTICE IN WHICH IT MAKES
10 SUCH AN ELECTION. Such agencies shall be required to offer voter regis-
11 tration forms to persons upon initial application for services, FOR
12 PARTICIPATION IN ACTIVITIES OR FOR USE OF FACILITIES, AND UPON renewal
13 or recertification for services, PARTICIPATION IN ACTIVITIES OR USE OF
14 FACILITIES, and UPON change of address relating to such services,
15 PARTICIPATION IN ACTIVITIES OR USE OF FACILITIES OF THE AGENCIES. Such
16 agencies shall also be responsible for providing assistance to appli-
17 cants in completing voter registration forms, receiving and transmitting
18 the completed application form from all applicants who wish to have such
19 form transmitted to the appropriate board of elections. The state board
20 of elections shall, together with representatives of the UNITED STATES
21 department of defense, develop and implement procedures for including
22 recruitment offices of the armed forces of the United States as voter
23 registration offices when such offices are so designated by federal law.
24 The state board OF ELECTIONS shall also make request of the United
25 States [Immigration and Naturalization Service] CITIZENSHIP AND IMMI-
26 GRATION SERVICES to include applications for registration by mail with
27 any materials which are given to new citizens. All institutions of the
28 state university of New York and the city university of New York, shall,
29 at the beginning of the school year, and again in January of a year in
30 which the president of the United States is to be elected, provide an
31 application for registration to each student in each such institution.
32 The state board of elections may, by regulation, grant a waiver from any
33 or all of the requirements of this section to any office or program of
34 an agency, if it determines that it is not feasible for such office or
35 program to administer such requirement.

36 S 2. Subdivision 4 of section 5-211 of the election law, as added by
37 chapter 659 of the laws of 1994, is amended to read as follows:

38 4. Each participating agency shall provide to each applicant who does
39 not decline to register to vote the same degree of assistance with
40 regard to the completion of the registration application form as is
41 provided by the agency with regard to the completion of its own form
42 unless the applicant refuses such assistance. ALL INSTITUTIONS OF THE
43 STATE UNIVERSITY OF NEW YORK AND ALL DEGREE-GRANTING INSTITUTIONS OF
44 HIGHER EDUCATION DESCRIBED IN ARTICLES ONE HUNDRED FIFTEEN, ONE HUNDRED
45 TWENTY-ONE, ONE HUNDRED TWENTY-THREE, ONE HUNDRED TWENTY-SIX AND ONE
46 HUNDRED TWENTY-NINE OF TITLE VII OF THE EDUCATION LAW WHICH HAVE ELECTED
47 TO BE PARTICIPATING AGENCIES PURSUANT TO THE OPENING PARAGRAPH OF THIS
48 SECTION SHALL ALSO PROVIDE SUCH LEVEL OF ASSISTANCE TO EACH PERSON WHO
49 WISHES TO COMPLETE AN APPLICATION FOR AN ABSENTEE BALLOT.

50 S 3. The opening paragraph of subdivision 8 of section 5-211 of the
51 election law, as amended by chapter 659 of the laws of 1994, is amended
52 to read as follows:

53 Each participating agency, department, division or office that makes
54 available voter registration forms OR ABSENTEE BALLOT APPLICATIONS, OR
55 BOTH, pursuant to this section shall offer with each application for the
56 services or assistance, PARTICIPATION IN ACTIVITIES OR USE OF FACILITIES

1 of such agency, department, division or office and with each recertif-
2 ication, renewal or change of address form relating to such service or
3 assistance, PARTICIPATION IN ACTIVITIES OR USE OF FACILITIES, a regis-
4 tration form together with instructions relating to eligibility to
5 register and for completing the form except that forms used by the
6 department of [social services] FAMILY ASSISTANCE for the initial appli-
7 cation for services, renewal or recertification for services and change
8 of address relating to such services shall physically incorporate a
9 voter registration application in a fashion that permits the voter
10 registration portion of the agency form to be detached therefrom. ALL
11 INSTITUTIONS OF THE STATE UNIVERSITY OF NEW YORK AND ALL DEGREE-GRANTING
12 INSTITUTIONS OF HIGHER EDUCATION DESCRIBED IN ARTICLES ONE HUNDRED
13 FIFTEEN, ONE HUNDRED TWENTY-ONE, ONE HUNDRED TWENTY-THREE, ONE HUNDRED
14 TWENTY-SIX AND ONE HUNDRED TWENTY-NINE OF TITLE VII OF THE EDUCATION LAW
15 WHICH HAVE ELECTED TO BE PARTICIPATING AGENCIES PURSUANT TO THE OPENING
16 PARAGRAPH OF THIS SECTION SHALL ALSO OFFER EACH SUCH APPLICANT AN APPLI-
17 CATION FOR AN ABSENTEE BALLOT. Such voter registration application shall
18 be designed so as to ensure the confidentiality of the source of the
19 application. Included on each participating agency's application for
20 services or assistance or on a separate form shall be:

21 S 4. This act shall take effect on the one hundred twentieth day after
22 it shall have become a law, provided however, that effective immediate-
23 ly, the addition, amendment and/or repeal of any rules or regulations
24 necessary for the implementation of this act on its effective date are
25 authorized and directed to be made and completed on or before such
26 effective date.