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

5367

2015-2016 Regular Sessions

I N S E N A T E

May 14, 2015

Introduced by Sen. COMRIE -- 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 automatic voter registration

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

Section 1. Subdivisions 1, 14 and 15 of section 5-212 of the election law, as added by chapter 659 of the laws of 1994, are amended to read as follows:

1. In addition to any other method of voter registration provided for in this article, any qualified person may apply for registration and enrollment EITHER by application made simultaneously and integrated with an application for a motor vehicle driver's license, a driver's license renewal or an identification card if such a card is issued by the department of motor vehicles in its normal course of business OR BY THE DEPARTMENT OF MOTOR VEHICLES PROVIDING THE APPROPRIATE BOARD OF ELECTIONS WITH ELECTRONIC RECORDS OF EACH PERSON WHO QUALIFIES TO VOTE, PURSUANT TO SUBDIVISION TWELVE-A OF THIS SECTION.

14. The state board shall develop and distribute public information and promotional materials relating to the purposes and implementation of [this program] THESE PROGRAMS.

15. The state board shall prepare and distribute to the department of motor vehicles written instructions as to the implementation of [the program] THESE PROGRAMS and shall be responsible for establishing training programs for employees of the department of motor vehicles involved in such [program] PROGRAMS.

S 2. Section 5-212 of the election law is amended by adding a new subdivision 12-a to read as follows:

12-A. IN ADDITION TO COMPLETING AN APPLICATION FOR REGISTRATION AND ENROLLMENT BY APPLICATION, A PERSON MAY ALSO BE REGISTERED TO VOTE IN THE FOLLOWING MANNER:

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

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(A) THE DEPARTMENT OF MOTOR VEHICLES SHALL ESTABLISH A SCHEDULE BY WHICH IT PROVIDES TO THE STATE BOARD OF ELECTIONS ELECTRONIC RECORDS CONTAINING THE LEGAL NAME, AGE, RESIDENCE AND CITIZENSHIP INFORMATION FOR, AND THE ELECTRONIC SIGNATURE OF, EACH PERSON WHO IS QUALIFIED TO VOTE UNDER SECTION 5-102 OF THIS ARTICLE.

(B) UPON RECEIVING THE ELECTRONIC RECORD FOR, AND ELECTRONIC SIGNATURE OF, A PERSON DESCRIBED IN PARAGRAPH (A) OF THIS SUBDIVISION, THE STATE BOARD OF ELECTIONS SHALL PROVIDE THE INFORMATION TO THE APPROPRIATE COUNTY BOARD OF ELECTIONS IN WHICH THE PERSON MAY BE REGISTERED AS A VOTER. THE APPROPRIATE COUNTY BOARD OF ELECTIONS SHALL SEND EACH PERSON A NOTIFICATION DIRECTING HIM OR HER TO:

(I) DECLINE BEING REGISTERED AS A VOTER; OR

(II) ADOPT A POLITICAL PARTY AFFILIATION.

(C) IF A PERSON NOTIFIED UNDER PARAGRAPH (B) OF THIS SUBDIVISION DOES NOT DECLINE TO BE REGISTERED AS A VOTER WITHIN TWENTY-ONE CALENDAR DAYS AFTER THE COUNTY BOARD OF ELECTIONS ISSUES THE NOTIFICATION, THE PERSON'S ELECTRONIC RECORD AND ELECTRONIC SIGNATURE SUBMITTED UNDER PARAGRAPH (A) OF THIS SUBDIVISION WILL CONSTITUTE A COMPLETED REGISTRATION APPLICATION FOR THE PERSON FOR PURPOSES OF THIS SECTION. THE PERSON SHALL BE REGISTERED TO VOTE IF THE COUNTY BOARD OF ELECTIONS DETERMINES THAT THE PERSON IS QUALIFIED TO VOTE PURSUANT TO SECTION 5-102 OF THIS ARTICLE, AND THE PERSON IS NOT ALREADY REGISTERED TO VOTE.

(D) A COUNTY BOARD OF ELECTIONS MAY NOT SEND A BALLOT TO, OR ADD TO A VOTER REGISTRATION LIST, A PERSON WHO MEETS ELIGIBILITY REQUIREMENTS UNTIL AT LEAST TWENTY-ONE CALENDAR DAYS AFTER THE COUNTY BOARD OF ELECTIONS PROVIDED NOTIFICATION TO THE PERSON AS DESCRIBED IN PARAGRAPH (B) OF THIS SUBDIVISION.

S 3. This act shall take effect on the ninetieth day after it shall have become a law.