

7811

I N S E N A T E

May 12, 2016

Introduced by Sen. MARCHIONE -- 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 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 (IV) The date of birth of the applicant.
23 [(iv)] (V) A space for the applicant to indicate his or her driver's
24 license or department of motor vehicles non-driver photo ID number or
25 the last four digits of his or her social security number or, if the
26 applicant does not have either such number, a space for the applicant to
27 indicate he or she does not have either.
28

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

LBD01443-01-5

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

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

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

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