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2015-2016 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2015

Introduced by M. of A. DINOWITZ, KAVANAGH, JAFFEE, BUCHWALD, OTIS, SCARBOROUGH -- Multi-Sponsored by -- M. of A. BROOK-KRASNY, CLARK, COLTON, GLICK, GOTTFRIED, GUNTHER, PERRY -- read once and referred to the Committee on Election Law

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 and the department of health. Also designated as
13 public assistance agencies are all agencies of local government that
14 provide such assistance. Designated as state agencies that provide
15 programs primarily engaged in providing services to people with disabili-
16 ties are the department of labor, office for the aging, division of
17 veterans' affairs, office of mental health, office of vocational and
18 educational services for individuals with disabilities, commission on
19 quality of care for the mentally disabled, office [of mental retardation
20 and] FOR PEOPLE WITH developmental disabilities, commission for the

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

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

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

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

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

55 Each participating agency, department, division or office that makes
56 available voter registration forms OR ABSENTEE BALLOT APPLICATIONS, OR

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

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