

# STATE OF NEW YORK

5627

2017-2018 Regular Sessions

## IN ASSEMBLY

February 14, 2017

Introduced by M. of A. WALKER, BARRON, BLAKE, JEAN-PIERRE, BICHOTTE, HYNDMAN, MOSLEY, GANTT, CUSICK, KAVANAGH, RICHARDSON, LIFTON, COOK, SEPULVEDA, HOOPER, RAMOS, PEOPLES-STOKES, PERRY, HARRIS -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to modernizing voter registration, promoting access to voting for individuals with disabilities, protecting the ability of individuals to exercise the right to vote in elections for local and state office; and making an appropriation therefor

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as the "modernized  
2 voter registration act of New York".

3 § 2. The election law is amended by adding ten new sections 5-200,  
4 5-232, 5-234, 5-236, 5-238, 5-240, 5-242, 5-244, 5-246 and 5-248 to read  
5 as follows:

6 § 5-200. Automated voter registration. 1. Notwithstanding any other  
7 manner of registration required by this article, each person in the  
8 state qualified to vote pursuant to section 5-102 of this article, shall  
9 be automatically registered to vote as provided in this section,  
10 provided that the person consents to voter registration.

11 2. The state board of elections or county board of elections shall  
12 register to vote or update the registration record of any person in the  
13 state qualified to vote pursuant to section 5-102 of this article who  
14 consents to the registration or update and does any of the following:

15 (a) completes an application for a new or renewed driver's license,  
16 non-driver identification card, pre-licensing course certificate,  
17 learner's permit or certification of supervised driving with the depart-  
18 ment of motor vehicles, or notifies such department in writing of a  
19 change of his or her name or address;

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

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1 (b) completes an application for services, renewal or recertification  
2 for services, or change of address relating to such services from agen-  
3 cies designated in section 5-211 of this title;

4 (c) completes an application for services, renewal or recertification  
5 for services, or change of address relating to such services from any  
6 municipal housing authority as set forth in article thirteen of the  
7 public housing law;

8 (d) registers for classes at institutions of the state university of  
9 New York or the city university of New York;

10 (e) completes a maximum sentence of imprisonment or is discharged from  
11 parole;

12 (f) completes an application for unemployment insurance;

13 (g) becomes a member or employee of the New York division of military  
14 and naval affairs; or

15 (h) completes an application with any other state or federal agency  
16 designated as a source agency pursuant to paragraph (b) of subdivision  
17 three of this section.

18 3. (a) The term "source agency" includes the department of motor vehi-  
19 cles, any government agency designated pursuant to section 5-211 of this  
20 title, the state university of New York and the city university of New  
21 York, all public housing authorities listed in article thirteen of the  
22 public housing law, the department of corrections and community super-  
23 vision, the department of labor, the New York division of military and  
24 naval affairs and any agency designated by the state board of elections  
25 pursuant to paragraph (b) of this subdivision.

26 (b) The state board of elections may designate additional state agen-  
27 cies to serve as sources for voter registration. In designating an agen-  
28 cy under this paragraph, the state board of elections shall consider:

29 (i) the likelihood that source records reflect a large number of  
30 eligible citizens;

31 (ii) the extent to which source records reflect eligible citizens who  
32 would not otherwise be registered under the act to modernize voter  
33 registration;

34 (iii) the accuracy of personal identification data in source records;  
35 and

36 (iv) any additional factors designated by the chief election official  
37 as reasonably related to accomplishing the purposes of the act to  
38 modernize voter registration.

39 4. The state board of elections and the source agencies shall enter  
40 into agreements to ensure that for each person described in subdivision  
41 two of this section, each source agency electronically transmits to the  
42 state or local boards of elections the following information in a format  
43 that can be read by the computerized statewide voter registration list:

44 (a) given name or names and surname or surnames;

45 (b) mailing address and residential address;

46 (c) date of birth;

47 (d) citizenship;

48 (e) driver's license or non-driver identification card number, last  
49 four digits of the person's social security number, or a space for the  
50 person to indicate that he or she does not have any such number;

51 (f) political party enrollment, if any;

52 (g) an indication that the person intends to apply for an absentee  
53 ballot, if any; and

54 (h) an image of the person's signature.

55 In the event that any transmission of data pursuant to this section  
56 fails to include an image of an individual's signature, the absence of a

1 signature shall not preclude the registration of an eligible citizen.  
2 The board of elections shall develop procedures to enable an eligible  
3 citizen, whose information is transmitted pursuant to this section and  
4 whose information lacks an electronic signature, to provide a signature  
5 at the polling place or with an application for an absentee ballot  
6 before voting. The board may require an elector who has not provided a  
7 signature before arriving at the polling place or submitting an absentee  
8 ballot to present a current and valid photo identification or a copy of  
9 a current utility bill, bank statement, government check, paycheck, or  
10 other government document that shows the name and address of the voter.

11 5. If an agency does not routinely request information concerning the  
12 citizenship status of individuals, it shall maintain records sufficient  
13 to transmit to the board of elections indications of United States citi-  
14 zenship for each person described in subdivision two of this section,  
15 but shall not retain, use, or share any such information relating to an  
16 individual's citizenship for any other purpose.

17 6. The state board of elections shall prepare and distribute to  
18 participating agencies written instructions as to the implementation of  
19 the program and shall be responsible for establishing training programs  
20 for employees of source agencies listed in this section. Training shall  
21 include requirements that employees of any source agency communicate to  
22 each individual identified in subdivision two of this section that the  
23 source agency maintains strict neutrality with respect to a person's  
24 party enrollment and all persons seeking voter registration forms and  
25 information shall be advised that government services are not condi-  
26 tioned on being registered to vote, or eligibility to register to vote.  
27 No statement shall be made nor any action taken to discourage the appli-  
28 cant from registering to vote.

29 7. The agreements between the state board of elections and the source  
30 agencies shall include the format in which information will be transmit-  
31 ted, whether and how each entity will collect, in addition to the manda-  
32 tory information listed in subdivision four of this section, additional  
33 information on a voluntary basis from persons for the purpose of facili-  
34 tating voter registration, the frequency of data transmissions, the  
35 procedures and other measures that will be used to ensure the security  
36 and privacy of the information transmitted, and any other matter neces-  
37 sary or helpful to implement the requirements of this section.

38 8. Each source agency shall cooperate with the state board of  
39 elections and county board of elections to facilitate the voter regis-  
40 tration of each person described in subdivision two of this section, and  
41 to electronically transmit the information needed to register each such  
42 person to vote or to update each such person's voter registration  
43 record.

44 9. Each source agency shall enter into an agreement with the state  
45 board of elections finalizing the format and content of electronic tran-  
46 smissions required by this section no later than September first, two  
47 thousand nineteen; provided, that each source agency shall be able to  
48 comply fully with all requirements of this section, including the  
49 collection and transmission of all data required to register individuals  
50 to vote, by January first, two thousand twenty.

51 10. Upon receiving information from a source agency with respect to an  
52 individual, the state board of elections shall determine whether the  
53 individual is included in the computerized statewide voter registration  
54 list.

55 (a) If an individual for whom information is received from a source  
56 agency is eligible to vote in elections for federal office in the state

1 and is not on the computerized statewide voter registration list, the  
2 state board of elections shall: (i) ensure that the individual is regis-  
3 tered to vote in such elections not later than five days after receiving  
4 the information, without regard to whether or not the information  
5 provided by the source agency includes the individual's signature; (ii)  
6 update the statewide computerized voter registration list to include the  
7 individual; and (iii) notify the individual that the individual is  
8 registered to vote in elections for federal office in the state.

9 (b) If a source agency provides the state board of elections with  
10 information with respect to an individual who did not consent to be  
11 registered to vote, the state board of elections shall not take any  
12 action to register the individual to vote, except that no such individ-  
13 ual who is already included on the computerized statewide voter regis-  
14 tration list shall be removed from the list solely because the informa-  
15 tion was incorrectly provided.

16 11. If an individual who is not eligible to register to vote in  
17 elections for federal office is registered to vote in such elections by  
18 the state board of elections, the individual shall not be subject to any  
19 penalty, including the imposition of a fine or term of imprisonment,  
20 adverse treatment in any immigration or naturalization proceeding, or  
21 the denial of any status under immigration laws, under any law prohibi-  
22 ting an individual who is not eligible to register to vote in elections  
23 for federal office from registering to vote in such elections. Nothing  
24 in this subdivision shall be construed to waive the liability of any  
25 individual who knowingly provides false information to any person  
26 regarding the individual's eligibility to register to vote in elections  
27 for federal office.

28 12. No person may use the information received by the state board of  
29 elections to determine the citizenship status of any individual for  
30 immigration enforcement, criminal law enforcement (other than enforce-  
31 ment of this chapter), or any other purpose other than voter registra-  
32 tion or election administration. No information relating to an individ-  
33 ual's absence from the statewide voter registration list or an  
34 individual's declination to supply information for voter registration  
35 purposes to a source agency may be disclosed to the public for immi-  
36 gration enforcement, criminal law enforcement other than enforcement of  
37 laws against election crimes, or used for any purpose other than voter  
38 registration, election administration, or the enforcement of election  
39 laws.

40 13. Voter registration information collected under this section shall  
41 not be used for commercial purposes including for comparison with any  
42 existing commercial list or database.

43 § 5-232. Availability of online registration. 1. Every election  
44 district shall ensure that the following services are available to the  
45 public at any time on the official public websites of the appropriate  
46 local election officials in the state: online application for voter  
47 registration, online assistance to applications in applying to register  
48 to vote, online completion and submission by applications of the mail  
49 voter registration application form pursuant to section 5-210, including  
50 assistance with providing a signature in electronic form as required  
51 under section 5-234 of this title, and online receipt of completed voter  
52 registration applications.

53 2. Any county or municipality shall accept an online voter registra-  
54 tion application provided by an individual under this section, and  
55 ensure that the individual is registered to vote in the state, if (a)  
56 the individual meets the same voter registration requirements applicable

1 to individuals who register to vote by mail in accordance with law using  
2 the mail voter registration application form, and (b) the individual  
3 provides a signature in electronic form pursuant to section 5-234 of  
4 this title.

5 3. (a) Upon the online submission of a completed voter registration  
6 application by an individual under this section, the appropriate state  
7 or local election official shall send the individual a notice confirming  
8 the state's receipt of the application and providing instructions on how  
9 the individual may check the status of the application, and

10 (b) as soon as the appropriate election official has approved or  
11 rejected an application submitted by an individual under this section,  
12 the official shall send the individual a notice of the disposition of  
13 the application.

14 § 5-234. Signatures in electronic form. An individual provides a  
15 signature in electronic form by executing a computerized mark in the  
16 signature field on an online voter registration application; or submit-  
17 ting with the application an electronic copy of the individual's hand-  
18 written signature through electronic means.

19 § 5-236. Nonpartisan manner. The services made available under this  
20 title shall be provided in a manner that ensures that the online appli-  
21 cation does not seek to influence an applicant's political preference or  
22 party registration and there is no display on the website promoting any  
23 political preference or party allegiance, except that nothing in this  
24 section may be construed to prohibit an applicant from registering to  
25 vote as a member of a political party.

26 § 5-238. Protection of security information. The state board of  
27 elections shall establish appropriate technological security measures to  
28 prevent to the greatest extent practicable any unauthorized access to  
29 information provided by individuals using the services made available  
30 under section 5-232 of this title.

31 § 5-240. Use of additional telephone-based system. The board of  
32 elections shall make the services made available online under section  
33 5-232 of this title available through the use of an automated tele-  
34 phone-based system, subject to the same terms and conditions applicable  
35 under this section to the services made available online, in addition to  
36 making the services available online in accordance with the requirements  
37 of this section.

38 § 5-242. Use of internet to update registration information. 1. The  
39 appropriate state or local election official shall ensure that any  
40 registered voter on the computerized list may at any time update the  
41 voter's registration information, including the voter's address and  
42 electronic mail address, online through the official public website of  
43 the election official responsible for the maintenance of the list, so  
44 long as the voter attests to the contents of the update by providing a  
45 signature in electronic form.

46 2. If a registered voter updates registration information, the appro-  
47 priate state or local election official shall revise any information on  
48 the computerized list to reflect the update made by the voter; and if  
49 the updated registration information affects the voter's eligibility to  
50 vote in an election, ensure that the information is processed with  
51 respect to the election if the voter updates the information not later  
52 than seven days before the election.

53 3. Upon the online submission of updated registration information by  
54 an individual under this section, the appropriate state or local  
55 election official shall send the individual a notice confirming receipt

1 of the updated information and providing instructions on how the indi-  
2 vidual may check the status of the update.

3 4. As soon as the appropriate state or local election official has  
4 accepted or rejected updated information submitted by an individual  
5 under this section, the official shall send the individual a notice of  
6 the disposition of the update.

7 5. The appropriate state or local election official shall send the  
8 notices required under this section by regular mail, and, in the case of  
9 an individual who has requested that the state provide voter registra-  
10 tion and voting information through electronic mail, by both electronic  
11 mail and regular mail.

12 § 5-244. List maintenance, privacy and security. 1. The state board of  
13 elections shall publish on their website all standards established under  
14 this section. The state board of elections shall establish standards  
15 governing the comparison of data on the statewide computerized voter  
16 registration list, the data provided by various source agencies under  
17 section 5-200 of this title, including the specific data elements and  
18 data matching rules to be used for purposes of determining: (a) whether  
19 a data record from any source agency represents the same individual as a  
20 record in another source agency or on the statewide list; (b) whether a  
21 data record from any source agency represents an individual already  
22 registered to vote in the state; (c) whether two data records in the  
23 statewide computerized voter registration list represent duplicate  
24 records for the same individual; (d) whether a data record supplied by  
25 any list maintenance source represents an individual already registered  
26 to vote in the state; and (e) which information will be treated as more  
27 current and reliable when data records from multiple sources present  
28 information for the same individual.

29 2. The state board of elections shall establish uniform and non-dis-  
30 criminatory standards describing the specific conditions under which an  
31 individual will be determined for list maintenance purposes to be ineli-  
32 gible to vote in an election.

33 3. The state board of elections shall publish and enforce a privacy  
34 and security policy specifying each class of users who shall have  
35 authorized access to the computerized statewide voter registration list,  
36 specifying for each such class the permission and levels of access to be  
37 granted, and setting forth other safeguards to protect the privacy and  
38 security of the information on the list. Such policy shall include secu-  
39 rity safeguards to protect personal information in the data transfer  
40 process, the online or telephone interface, the maintenance of the voter  
41 registration database, and audit procedures to track individual access  
42 to the system.

43 4. The state board of elections shall establish policies and enforce-  
44 ment procedures to prevent unauthorized access to or use of the comput-  
45 erized statewide voter registration list, any list or other information  
46 provided by a source agency, or any maintenance source for the list.  
47 Nothing in this subdivision shall be construed to prohibit access to  
48 information required for official purposes for purposes of voter regis-  
49 tration, election administration, and the enforcement of election laws.

50 5. The state board of elections shall establish policies and enforce-  
51 ment procedures to maintain security during inter-agency transfers of  
52 information required or permitted under this chapter. Each state agency  
53 and third party participating in such inter-agency transfers of informa-  
54 tion shall facilitate and comply with such policies. Nothing in this  
55 subdivision shall prevent a source agency from establishing and enforc-  
56 ing additional security measures to protect the confidentiality and

1 integrity of inter-agency data transfers. No state or local election  
2 official shall transfer or facilitate the transfer of information from  
3 the computerized statewide voter registration list to any source agency.

4 6. Nothing in this section shall be construed to prevent a source  
5 agency from contracting with a third party to assist in the transmission  
6 of data to the state board of elections, so long as the data trans-  
7 mission complies with the applicable requirements of this chapter.

8 7. The state board of elections shall establish standards and proce-  
9 dures to maintain all election records required for purposes of this  
10 section. Records for individuals who have been retained on the computer-  
11 ized statewide registration list but identified as ineligible to vote in  
12 an election or removed from the list due to ineligibility, shall be  
13 maintained and kept available until at least the date of the second  
14 general election for federal office that occurs after the date that the  
15 individual was identified as ineligible.

16 8. The identity of the specific source agency through which an indi-  
17 vidual consented to register to vote shall not be disclosed to the  
18 public and shall not be retained after the individual is added to the  
19 computerized statewide voter registration list.

20 9. The state board of elections shall establish policies and enforce-  
21 ment procedures to ensure that personal information provided by source  
22 agencies or otherwise transmitted under this section is kept confiden-  
23 tial and is available only to authorized users. For purposes of these  
24 policies and procedures, the term "personal information" means any of  
25 the following:

26 (a) any portion of an individual's social security number;

27 (b) any portion of an individual's motor vehicle driver's license  
28 number or state identification card number;

29 (c) an individual's signature;

30 (d) an individual's personal residence and contact information;

31 (e) sensitive information relating to persons in categories designated  
32 confidential by federal or state law, including victims of domestic  
33 violence or stalking, prosecutors and law enforcement personnel, and  
34 participants in a witness protection program;

35 (f) an individual's phone number;

36 (g) an individual's email address;

37 (h) any indication of an individual's status as a citizen or nonciti-  
38 zen of the United States; and

39 (i) such other information as the state board of the elections may  
40 designate as confidential to the extent reasonably necessary to prevent  
41 identity theft or impersonation, except that such board may not desig-  
42 nate as confidential under this subdivision the name, address, or date  
43 of registration of an individual, or where applicable, the self-identi-  
44 fied racial or ethnic category of the individual.

45 10. The state board of elections shall ensure that, with respect to  
46 any individual who declines the opportunity to register to vote, the  
47 individual's information is not included on the computerized statewide  
48 voter registration list and is not provided to a third party (except to  
49 the extent required under other law). Nothing in this subdivision shall  
50 be construed to preclude an individual who has previously declined the  
51 opportunity to register to vote from subsequently registering to vote.

52 § 5-246. Accuracy of statewide voter registration lists. 1. Not later  
53 than twenty-four hours after receiving a change of address form or any  
54 other information indicating that identifying information with respect  
55 to an individual which is included in the records of the department of

1 motor vehicles has been changed, such department shall transmit such  
2 form or other information to the state board of elections, unless:

3 (a) the records of the department include information indicating that  
4 the individual is not eligible to register to vote in the state; or

5 (b) the individual states on the form or otherwise indicates that the  
6 change of address or other information is not for voter registration  
7 purposes.

8 2. Not later than twenty-four after receiving a change of address form  
9 or any other information indicating that identifying information with  
10 respect to an individual which is included in the records of a voter  
11 registration agency has been changed, the appropriate official of such  
12 agency shall transmit such form or other information to the state board  
13 of elections, unless:

14 (a) the records of the department include information indicating that  
15 the individual is not eligible to register to vote in the state; or

16 (b) the individual states on the form or otherwise indicates that the  
17 change of address or other information is not for voter registration  
18 purposes.

19 3. Not later than twenty-four hours after receiving a change of  
20 address form or any other information indicating that identifying infor-  
21 mation with respect to an individual which is included in the records of  
22 a source agency has been changed, the appropriate official of such agen-  
23 cy shall transmit such form or other information to the state board of  
24 elections, unless:

25 (a) the records of the department include information indicating that  
26 the individual is not eligible to register to vote in the state; or

27 (b) the individual states on the form or otherwise indicates that the  
28 change of address or other information is not for voter registration  
29 purposes.

30 4. If the department of motor vehicles, a voter registration agency,  
31 or a source agency transmits to the state board of elections a change of  
32 address form or any other information indicating that identifying infor-  
33 mation with respect to an individual has been changed the appropriate  
34 state or local election official shall:

35 (a) determine whether the individual appears on the computerized list;  
36 and

37 (b) if the individual appears on the list, revise the information  
38 relating to the individual on the list to reflect the individual's new  
39 address or other changed identifying information.

40 5. If an election official revises any voter registration information  
41 on the computerized list with respect to any voter (including removing  
42 the voter from the list), immediately after revising the information,  
43 the official shall send the individual a written notice of the revision  
44 which includes the following information:

45 (a) the voter's name, date of birth, and address, as reflected in the  
46 revised information on the computerized list;

47 (b) a statement that the voter's registration information has been  
48 updated;

49 (c) information on how to correct information on the computerized  
50 list;

51 (d) a statement of the eligibility requirements for registered voters;

52 (e) a statement (in larger font size than the other statements on the  
53 notice) that it is illegal for an individual who does not meet the  
54 eligibility requirements for registered voters in the state to vote in  
55 such state; and

1 (f) a statement that the voter may terminate the voter's status as  
2 registered in the state, or request a change in the voter's voter regis-  
3 tration information at any time by contacting the appropriate state or  
4 local election official, together with contact information for such  
5 official (including any website through which the voter may contact the  
6 official or obtain information on voter registration in the state).

7 6. If an election official has an electronic mail address for any  
8 voter to whom the official is required to send notice under this  
9 section, the official may meet the requirements of this section by send-  
10 ing the notice to the voter in electronic form at that address, but only  
11 if prior to sending the notice, the official sends a test electronic  
12 mail to the voter at that address and receives confirmation that the  
13 address is current and valid.

14 § 5-248. Same day registration. Each county shall allow any eligible  
15 individual on the day of an election and on any day when voting, includ-  
16 ing early voting, to register to vote in such election at the polling  
17 place and to cast a vote in such election.

18 § 3. Section 5-210 of the election law is amended by adding three new  
19 subdivisions 16, 17 and 18 to read as follows:

20 16. The board of elections shall accept an online voter registration  
21 application provided by an individual and ensure that individual is  
22 registered to vote in the state if (a) the individual meets the same  
23 voter registration requirements applicable to individuals who register  
24 to vote by mail in accordance with this section; and (b) the individual  
25 provided a signature in electronic form in accordance with section 5-234  
26 of this title.

27 17. Upon the online submission of a completed voter registration  
28 application by an individual, an appropriate election personnel shall  
29 send the individual a notice confirming the board of elections receipt  
30 of the application and providing instructions on how the individual may  
31 check on the status of the application. As soon as the appropriate  
32 election personnel has approved or rejected an application submitted by  
33 an individual, the personnel shall send the individual a notice of the  
34 disposition of the application by regular mail unless the individual has  
35 requested voter information to be sent through electronic mail, in which  
36 case a copy should be sent through both regular and electronic mail.

37 18. If an individual who is a registered voter had provided the state  
38 or local election official with an electronic mail address for purposes  
39 of receiving voting information, the county board of elections, through  
40 electronic mail transmitted not later than seven days before the date of  
41 the election involved, shall provide the individual with information on  
42 how to obtain the following information by electronic means: (a) the  
43 name and address of the polling place at which the individual is  
44 assigned to vote in the election; (b) the hours of operation for the  
45 polling place; and (c) a description of any identification or other  
46 information the individual may be required to present at the polling  
47 place.

48 § 4. The election law is amended by adding two new sections 5-108 and  
49 5-110 to read as follows:

50 § 5-108. Nondiscrimination. 1. The state shall treat a registered  
51 voter who is registered to vote online in accordance with this chapter  
52 in the same manner as the state treats a registered voter who registered  
53 to vote by mail.

54 2. No person may discriminate against any individual on the basis of  
55 the individual's absence from the statewide voter registration list, the  
56 information supplied by the individual for voter registration purpose to

1 a source agency, or the individual's declination to supply such informa-  
 2 tion, except as required for purposes of voter registration, election  
 3 administration, and the enforcement of election laws.

4 § 5-110. Prohibiting use of electronic mail addresses for other than  
 5 official purposes. The state board of elections shall ensure that any  
 6 electronic mail addresses provided by an applicant under this chapter  
 7 are used only for purposes of carrying out official duties of election  
 8 officials and are not transmitted by any state or local election offi-  
 9 cial (or any agent of such an official, including a contractor) to any  
 10 person who does not require the address to carry out such official  
 11 duties and who is not under the direct supervision and control of a  
 12 state or local election official.

13 § 5. Subdivisions 1 and 2 of section 5-210 of the election law, as  
 14 amended by chapter 179 of the laws of 2005, are amended to read as  
 15 follows:

16 1. In addition to local registration and veterans' absentee registra-  
 17 tion as provided in this chapter, any qualified person may apply  
 18 personally for registration and enrollment, change of enrollment by mail  
 19 [~~or~~], by appearing at the board of elections on any day, except a day of  
 20 election, during the hours that such board of elections is open for  
 21 business or by registering online.

22 2. (a) Application forms for use pursuant to this section shall be  
 23 furnished by a county board of elections to any person requesting such  
 24 form or shall be available on the county board of elections website  
 25 pursuant to section 5-232 of this title. Application forms sent outside  
 26 of the United States to a country other than Canada or Mexico, shall be  
 27 sent airmail. Each county board of elections shall also cause such  
 28 application forms to be as widely and freely distributed as possible.

29 (b) The board of elections shall mail an application for registration  
 30 by mail and information on how the person may re-register to each person  
 31 for whom it receives notice pursuant to the provisions of subdivision  
 32 four of section 5-402 of this article that such person has moved into  
 33 such city or county unless such person is already registered from the  
 34 address listed in such notice.

35 § 6. The election law is amended by adding a new section 17-172 to  
 36 read as follows:

37 § 17-172. Penalties against list maintenance, privacy and security.  
 38 Any person who knowingly uses information or permits information to be  
 39 used in violation of sections 5-244 or 5-108 of this chapter shall be  
 40 imprisoned for not more than one year, fined not less than one hundred  
 41 dollars nor more than five hundred dollars, or both such fine and impri-  
 42 sonment.

43 § 7. Paragraphs (g) and (k) of subdivision 5 of section 5-210 of the  
 44 election law, as amended by chapter 179 of the laws of 2005, subpara-  
 45 graph (xii) of paragraph (k) as added by chapter 362 of the laws of  
 46 2008, are amended and two new paragraphs (n) and (o) are added to read  
 47 as follows:

48 (g) Notice that the applicant must be a citizen of the United States,  
 49 is [~~or will be at least eighteen years old not later than December thir-~~  
 50 ~~ty first of the calendar year in which he or she registers]~~ at least  
 51 sixteen years old when he or she submits an application to register to  
 52 vote and a resident of the county or city to which application is made.

53 (k) The form shall also include space for the following information,  
 54 which must be contained on the inside of the form after it is folded for  
 55 mailing:

1 (i) A space for the applicant to indicate whether or not he or she has  
 2 ever voted or registered to vote before and, if so, the approximate year  
 3 in which such applicant last voted or registered and his or her name and  
 4 address at the time.

5 (ii) The name and residence address of the applicant including the zip  
 6 code and apartment number, if any.

7 (iii) The date of birth of the applicant.

8 (iv) A space for the applicant to indicate his or her driver's license  
 9 or department of motor vehicles non-driver photo ID number or the last  
 10 four digits of his or her social security number or, if the applicant  
 11 does not have either such number, a space for the applicant to indicate  
 12 he or she does not have either.

13 (v) A space for the applicant to indicate whether or not he or she is  
 14 a citizen of the United States and the statement "If you checked "no" in  
 15 response to this question, do not complete this form."

16 ~~(vi) [A space for the applicant to answer the question "Will you be 18~~  
 17 ~~years of age on or before election day?" and the statement "If you~~  
 18 ~~checked "no" in response to this question, do not complete this form~~  
 19 ~~unless you will be 18 by the end of the year."]~~

20 ~~(vii)~~ A statement informing the applicant that if the form is submit-  
 21 ted by mail and the applicant is registering for the first time, certain  
 22 information or documents must be submitted with the mail-in registration  
 23 form in order to avoid additional identification requirements upon  
 24 voting for the first time. Such information and documents are:

25 (A) a driver's license or department of motor vehicles non-driver  
 26 photo ID number; or

27 (B) the last four digits of the individual's social security number;  
 28 or

29 (C) a copy of a current and valid photo identification; or

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

33 ~~(viii)~~ (vii) The gender of the applicant (optional).

34 ~~(ix)~~ (viii) A space for the applicant to indicate his or her choice  
 35 of party enrollment, with a clear alternative provided for the applicant  
 36 to decline to affiliate with any party.

37 ~~(x)~~ (ix) The telephone number of the applicant (optional).

38 ~~(xi)~~ (x) A place for the applicant to execute the form on a line  
 39 which is clearly labeled "signature of applicant" preceded by the  
 40 following specific form of affirmation:

41 AFFIDAVIT: I swear or affirm that:

42 \* I am a citizen of the United States.

43 \* I will have lived in the county, city, or village for at least 30  
 44 days before the election.

45 \* I meet all the requirements to register to vote in New York  
 46 State.

47 \* This is my signature or mark on the line below.

48 \* All the information contained on this application is true. I  
 49 understand that if it is not true I can be convicted and fined up  
 50 to \$5,000 and/or jailed for up to four years.

51 which form of affirmation shall be followed by a space for the date and  
 52 the aforementioned line for the applicant's signature.

53 ~~(xii)~~ (xi) A space for the applicant to register in the New York  
 54 state donate life registry for organ and tissue donations established  
 55 pursuant to section forty-three hundred ten of the public health law.

56 (xii) The email address of the applicant (optional).

1 (n) Agreements adopted pursuant to section 5-200 of this title between  
2 source agencies and the state or county boards of elections are not  
3 required to include the collection or transmission of the information  
4 requested in paragraph (j) or subparagraph (i), (vii), (viii), (ix) or  
5 (xi) of paragraph (k) of this subdivision, and no board of election  
6 shall refuse to register to vote or update the registration record of  
7 any person in the state whose information is transmitted pursuant to  
8 section 5-200 of this title for the reason that such information does  
9 not include the information requested by paragraph (j) or subparagraph  
10 (i), (vii), (viii), (ix) or (xi) of paragraph (k) of this subdivision.

11 (o) The voter registration application shall include a space for the  
12 applicant to provide (at the applicant's option) an electronic mail  
13 address, together with a statement that, if the applicant so requests,  
14 instead of using regular mail the appropriate state and local election  
15 officials shall provide to the applicant, through electronic mail sent  
16 to that address, any voting information that would otherwise be sent  
17 through the regular mail.

18 § 8. The election law is amended by adding a new section 3-228 to read  
19 as follows:

20 § 3-228. Board of elections, reports. 1. Not later than ninety days  
21 after the end of each year, the board shall submit to the legislature  
22 and the governor a report containing the following categories of infor-  
23 mation for the year:

24 (a) the number of individuals who registered;

25 (b) the number of voter registration application forms completed by  
26 individuals that were transmitted by the department of motor vehicles  
27 and voter registration agencies in the state to the board, broken down  
28 by each such agency;

29 (c) the number of such individuals whose voter registration applica-  
30 tion forms were accepted and who were registered to vote in the state  
31 and the number of such individuals whose forms were rejected and who  
32 were not registered to vote in the state, broken down by each such agen-  
33 cy;

34 (d) the number of change of address forms and other forms of informa-  
35 tion indicating that an individual's identifying information has been  
36 changed that were transmitted by the department of motor vehicles and  
37 voter registration agencies to the board, broken down by such agency and  
38 type of form submitted;

39 (e) the number of individuals on the statewide computerized voter  
40 registration list whose voter registration information was revised by  
41 the board as a result of the forms transmitted to the board by the  
42 department of motor vehicles and voter registration agencies (as  
43 described in subdivision three of this section), broken down by each  
44 agency and the type of form submitted;

45 (f) the number of individuals who requested the board to revise voter  
46 registration information on such list, and the number of individuals  
47 whose information was revised as a result of such request.

48 2. In preparing the report under this section, the state shall, for  
49 each category of information described in subdivision one of this  
50 section, include a breakdown by race of the individuals whose informa-  
51 tion is included in the category, to the extent that information on the  
52 race of such individuals is available to the state.

53 3. In preparing and submitting a report under this section, the board  
54 shall ensure that no information regarding the identification of any  
55 individual is revealed.

1 § 9. Section 5-202 of the election law is amended by adding a new  
2 subdivision 7 to read as follows:

3 7. The board of elections in each county shall establish procedures  
4 providing for absentee registration, for all elections held pursuant to  
5 the provisions of this chapter, through mail and/or electronic means for  
6 persons with a disability. Such procedures shall be subject to approval  
7 by the state board of elections. Such boards of elections shall further  
8 be responsible for providing information regarding absentee registration  
9 for persons with a disability to such persons with respect to such  
10 elections.

11 § 10. The election law is amended by adding a new section 3-109 to  
12 read as follows:

13 § 3-109. Prohibition against voter caging. 1. Definitions. For the  
14 purposes of this section, the following terms shall have the following  
15 meanings:

16 (a) Voter caging document means

17 (i) a nonforwardable document that is returned to the sender of a  
18 third party as undelivered or undeliverable despite an attempt to deliv-  
19 er such document to the address of a registered voter or applicant; or

20 (ii) any document with instructions to an addressee that the document  
21 be returned to the sender or a third party but is not so returned,  
22 despite an attempt to deliver such document to the address of a regis-  
23 tered voter or applicant, unless at least two election cycles have  
24 passed since the date of the attempted delivery;

25 (b) Voter caging list means a list of individuals compiled from voter  
26 caging documents; and

27 (c) Unverified match list means a list produced by matching the infor-  
28 mation of registered voters or applicants for voter registration to a  
29 list of individuals who are ineligible to vote in the registrar's juris-  
30 isdiction, by virtue of death, conviction, change of address, or other-  
31 wise; unless one of the pieces of information matched includes a signa-  
32 ture, photograph, or unique identifying number ensuring that the  
33 information from each source refers to the same individual.

34 2. Prohibition against voter caging. Notwithstanding the provisions of  
35 sections 5-220, 8-504 or 8-506 of this chapter, no election official  
36 shall prevent an individual from registering or voting in any election  
37 or permit in connection with any election a formal challenge to an indi-  
38 vidual's registration status or eligibility to vote, if the basis for  
39 such decision is evidence consisting of:

40 (a) a voter caging document or voter caging list;

41 (b) an unverified match list;

42 (c) an error or omission on any record or paper relating to any appli-  
43 cation, registration, or other act requisite to voting, if such error or  
44 omission is not material to an individual's eligibility to vote;  
45 provided, however, that the election official may use such evidence if  
46 it is corroborated by independent evidence of the individual's ineligi-  
47 bility to register or vote.

48 3. Penalties for knowing misconduct. Whoever knowingly challenges the  
49 eligibility of one or more individuals to register or vote or knowingly  
50 causes the eligibility of such individuals to be challenged in violation  
51 of this chapter with the intent that one or more eligible voters be  
52 disqualified, shall be fined or imprisoned not more than one year, or by  
53 both such fine and imprisonment, for each such violation. Each violation  
54 shall be a separate offense.

55 § 11. Section 17-154 of the election law is amended by adding a new  
56 subdivision 6 to read as follows:

1 6. Knowingly and willfully deprive, defraud, or attempt to deprive or  
2 defraud any other person of their free and fair exercise of the right to  
3 vote by the communication of election-related information that is known  
4 by the person to be materially false, fictitious, or fraudulent. "Elec-  
5 tion-related information" shall mean any oral or written communication  
6 regarding the time or place of an election, criminal penalties associ-  
7 ated with voting in such an election, an individual's voter registration  
8 status or eligibility to vote in such an election, or the explicit  
9 endorsement of any person or organization of a candidate in such an  
10 election.

11 § 12. Subdivision 1 of section 7-202 of the election law is amended by  
12 adding a new paragraph a-1 to read as follows:

13 a-1. use an individual, durable, voter-verified, paper ballot of the  
14 voter's vote that shall be marked and made available for inspection and  
15 verification by the voter before the voter's vote is cast and counted,  
16 and which shall be counted by hand or read by an optical character  
17 recognition device or other counting device; such ballots shall be the  
18 true and correct record of the votes cast and shall allow a manual audit  
19 and be preserved in accordance with the provisions of section 3-222 of  
20 this chapter. For purposes of this paragraph, the term "individual,  
21 durable, voter-verified, paper ballot" means a paper ballot marked by  
22 the voter by hand or a paper ballot marked through the use of a nontabu-  
23 lating ballot marking device or system, so long as the voter shall have  
24 the option to mark his or her ballot by hand;

25 § 13. Paragraph j of subdivision 1 of section 7-202 of the election  
26 law, as added by chapter 181 of the laws of 2005, is amended to read as  
27 follows:

28 j. retain all paper ballots cast or produce and retain a voter veri-  
29 fied permanent paper record which shall be presented to the voter from  
30 behind a window or other device before the ballot is cast, in a manner  
31 intended and designed to protect the privacy of the voter; such ballots  
32 or record shall allow a manual audit and shall be preserved in accord-  
33 ance with the provisions of section 3-222 of this chapter; provided,  
34 however, the voting system shall not preserve the voter-verified paper  
35 ballots in any manner that makes it possible, at any time after the  
36 ballot has been cast, to associate a voter with the record of the  
37 voter's vote without the voter's consent.

38 § 14. The election law is amended by adding a new section 3-508 to  
39 read as follows:

40 § 3-508. Study and report on accessible paper ballot verification  
41 mechanisms. 1. The state board of elections shall make grants to not  
42 fewer than three eligible entities to study, test, and develop accessi-  
43 ble paper ballot voting, verification, and casting mechanisms and  
44 devices and best practices to enhance the accessibility of paper ballot  
45 voting and verification mechanisms for individuals with disabilities,  
46 for voters whose primary language is not English, and for voters with  
47 difficulties in literacy, including best practices for the mechanisms  
48 themselves and the processes through which the mechanisms are used.

49 2. An entity is eligible to receive a grant under this section if it  
50 submits to the board (at such time and in such form as the board may  
51 require) an application containing:

52 (a) certifications that the entity shall specifically investigate  
53 enhanced methods or devices, including non-electronic devices, that will  
54 assist such individuals and voters in marking voter-verified paper  
55 ballots and presenting or transmitting the information printed or marked

1 on such ballots back to such individuals and voters, and casting such  
 2 ballots;

3 (b) a certification that the entity shall complete the activities  
 4 carried out with the grant not later than December thirty-first, two  
 5 thousand twenty; and

6 (c) such other information and certifications as the board may  
 7 require.

8 3. Any technology developed with the grants made under this section  
 9 shall be treated as non-proprietary and shall be made available to the  
 10 public, including to manufacturers of voting systems.

11 § 15. Subdivision 1 of section 7-104 of the election law, as amended  
 12 by chapter 165 of the laws of 2010, is amended to read as follows:

13 1. (a) All ballots shall be printed and/or displayed in a format and  
 14 arrangement, of such uniform size and style as will fit the ballot  
 15 frame, and shall be in as plain and clear a type or display as the space  
 16 will reasonably permit. All voter-verified paper ballots required to be  
 17 used under this chapter shall be marked or printed on durable paper.  
 18 Such type or display on the ballot shall satisfy all requirements and  
 19 standards set forth pursuant to the federal Help America Vote Act. For  
 20 purposes of this subdivision, paper is "durable" if it is capable of  
 21 withstanding multiple counts and recounts by hand without compromising  
 22 the fundamental integrity of the ballots, and capable of retaining the  
 23 information marked or printed on them for the full duration of a  
 24 retention and preservation period of twenty-two months.

25 (b) All voter-verified paper ballots completed by the voter through  
 26 the use of a ballot marking device shall be clearly readable by the  
 27 voter without assistance (other than eyeglasses or other personal vision  
 28 enhancing devices) and by an optical character recognition device or  
 29 other device equipped for individuals with disabilities.

30 § 16. Article 9 of the election law is amended by adding a new title 3  
 31 to read as follows:

### TITLE III

#### MANDATORY MANUAL AUDITS

32 Section 9-300. Requiring audits of results of elections.

33 9-302. Number of ballots counted under audit.

34 9-304. Process for administering audits.

35 9-306. Selection of election districts.

36 9-308. Publication of results.

37 § 9-300. Requiring audits of results of elections. 1. In accordance  
 38 with this title, the state board of elections shall administer, without  
 39 advance notice to the local boards of elections selected, audits of the  
 40 results of all elections for state and local offices held for each  
 41 election consisting of random hand counts of the voter-verified paper  
 42 ballots required to be used and preserved pursuant to this chapter.

43 2. The state board of elections shall not be required to administer an  
 44 audit of the results of an election under this title if the winning  
 45 candidate in the election:

46 (a) had no opposition on the ballot; or

47 (b) received eighty percent or more of the total number of votes cast  
 48 in the election, as determined on the basis of the final unofficial vote  
 49 count.

50 3. The state board of elections shall administer audits under this  
 51 title through an election auditing entity selected for such purpose by  
 52 the state board of elections in accordance with such criteria as the  
 53 state board of elections considers appropriate consistent with the  
 54 state board of elections considers appropriate consistent with the  
 55 state board of elections considers appropriate consistent with the

1 requirements of this title, except that such entity must meet standards  
2 to ensure its independence.

3 § 9-302. Number of ballots counted under audit. 1. Except as provided  
4 in subdivision two of this section, the number of voter-verified paper  
5 ballots which will be subject to a hand count administered by the  
6 election auditing entity under this title with respect to an election  
7 shall be determined as follows:

8 (a) In the event that the unofficial count as described in subdivision  
9 one of section 9-304 of this title reveals that the margin of victory  
10 between the two candidates receiving the largest number of votes in the  
11 election is less than one percent of the total votes cast in that  
12 election, the hand counts of the voter-verified paper ballots shall  
13 occur in at least ten percent of all election districts (or alternative  
14 audit units used in accordance with the method provided for under subdivi-  
15 sion two of this section) in the district involved or the state.

16 (b) In the event that the unofficial count as described in subdivision  
17 one of section 9-304 of this title reveals that the margin of victory  
18 between the two candidates receiving the largest number of votes in the  
19 election is greater than or equal to one percent but less than two  
20 percent of the total votes cast in that election, the hand counts of the  
21 voter-verified paper ballots shall occur in at least five percent of all  
22 election districts (or alternative audit units used in accordance with  
23 the method provided for under subdivision two of this section) in the  
24 district involved or the state.

25 (c) In the event that the unofficial count as described in subdivision  
26 one of section 9-304 of this title reveals that the margin of victory  
27 between the two candidates receiving the largest number of votes in the  
28 election is equal to or greater than two percent of the total votes cast  
29 in that election, the hand counts of the voter-verified paper ballots  
30 shall occur in at least three percent of all election districts (or  
31 alternative audit units used in accordance with the method provided for  
32 under subdivision two of this section) in the district involved or the  
33 state.

34 2. Notwithstanding subdivision one of this section, the state board of  
35 elections may adopt and apply an alternative mechanism to determine the  
36 number of voter-verified paper ballots which will be subject to the hand  
37 counts required under this title with respect to an election, so long as  
38 the alternative mechanism uses the voter-verified paper ballots to  
39 conduct the audit and the alternative mechanism is in accordance with  
40 the principles set forth in this subdivision. In approving an alterna-  
41 tive mechanism under this subdivision, the state board of elections  
42 shall ensure that the audit procedure will have the property that for  
43 each election:

44 (a) the alternative mechanism will be at least as statistically effec-  
45 tive in ensuring the accuracy of the election results as the procedures  
46 under this section; or

47 (b) the alternative mechanism will achieve at least a ninety-five  
48 percent confidence interval (as determined in accordance with criteria  
49 set forth by the National Institute of Standards and Technology) with  
50 respect to the outcome of the election.

51 § 9-304. Process for administering audits. The election auditing enti-  
52 ty shall administer an audit under this section of the results of an  
53 election in accordance with the following procedures:

54 1. Within twenty-four hours after the final unofficial vote count is  
55 released, the election auditing entity shall:

1 (a) determine and then announce the election districts (or alternative  
2 audit units used in accordance with the method provided under subdivi-  
3 sion two of section 9-302 of this title) in the state in which it will  
4 administer the audits; and

5 (b) with respect to votes cast at the election district on or before  
6 the date of the election (other than affidavit ballots described in  
7 subdivision two of this section), begin to administer the hand count of  
8 the votes on the voter-verified paper ballots required to be used and  
9 preserved under this chapter and the comparison of the count of the  
10 votes on those ballots with the final unofficial count of such votes as  
11 announced by the board of elections.

12 2. With respect to votes cast other than at the election district on  
13 the date of the election (other than votes cast before the date of the  
14 election) or votes cast by affidavit ballot on the date of the election  
15 which are certified and counted by the board of elections on or after  
16 the date of the election, including votes cast by absent uniformed  
17 services voters and overseas voters under the Uniformed and Overseas  
18 Citizens Absentee Voting Act, the election auditing entity shall admin-  
19 ister the hand count of the votes on the applicable voter-verified paper  
20 ballots required to be produced and preserved under this chapter and the  
21 comparison of the count of the votes on those ballots with the final  
22 unofficial count of such votes as announced by the board of elections.

23 3. In administering the audits, the election auditing entity may  
24 utilize the services of the personnel of the state or local boards of  
25 elections, including election administration personnel and poll workers,  
26 without regard to whether or not the personnel have professional audit-  
27 ing experience.

28 4. The election auditing entity shall administer an audit of an  
29 election:

30 (a) at the location where the ballots cast in the election are stored  
31 and counted after the date of the election or such other appropriate and  
32 secure location agreed upon by the election auditing entity and the  
33 state board of elections; and

34 (b) in the presence of the personnel of the state board of elections.

35 5. (a) If the election auditing entity finds that any of the hand  
36 counts administered under this section do not match the final unofficial  
37 tally of the results of an election, the election auditing entity shall  
38 administer hand counts of such additional election districts (or alter-  
39 native audit units) as the election auditing entity considers appropri-  
40 ate to resolve any concerns resulting from the audit and ensure the  
41 accuracy of the election results.

42 (b) Not later than August first, two thousand twenty-one, the state  
43 board of elections shall establish and publish procedures for carrying  
44 out the additional audits under this subdivision, including the means by  
45 which the state board of elections shall resolve any concerns resulting  
46 from the audit with finality and ensure the accuracy of the election  
47 results.

48 6. Each audit conducted under this section shall be conducted in a  
49 manner that allows public observation of the entire process.

50 § 9-306. Selection of election districts. 1. The selection of the  
51 election districts or alternative audit units in the state in which the  
52 election auditing entity shall administer the hand counts under this  
53 title shall be made by the election auditing entity on a random basis  
54 except that at least one election district shall be selected at random  
55 in each county, with additional election districts selected by the  
56 election auditing entity at the election auditing entity's discretion.

1 2. The random selection of election districts under subdivision one of  
2 this section shall be conducted in public, at a time and place announced  
3 in advance.

4 § 9-308. Publication of results. 1. As soon as practicable after the  
5 completion of an audit under this title, the election auditing entity  
6 shall submit to the state board of elections the results of the audit,  
7 and shall include in the submission a comparison of the results of the  
8 election in the election district as determined by the election auditing  
9 entity under the audit and the final unofficial vote count in the  
10 election district as announced by the board of elections and all under-  
11 votes, overvotes, blank ballots, and spoiled, voided, or cancelled  
12 ballots, as well as a list of any discrepancies discovered between the  
13 initial, subsequent, and final hand counts administered by the election  
14 auditing entity and such final unofficial vote count and any explanation  
15 for such discrepancies, broken down by the categories of votes described  
16 in subdivisions one and two of section 9-304 of this title.

17 2. Immediately after receiving the submission of the results of an  
18 audit from the election auditing entity under subdivision one of this  
19 section, the state board of elections shall publicly announce and  
20 publish the information contained in the submission.

21 3. The results of any election which is subject to an audit under this  
22 title shall not be certified prior to:

23 (a) to the completion of the audit (and, if required, any additional  
24 audit conducted under subdivision five of section 9-304 of this title)  
25 and the announcement and submission of the results of each such audit to  
26 the state board of elections for publication of the information required  
27 under this section; and

28 (b) the completion of any procedure established by the state board of  
29 elections pursuant to subdivision five of section 9-304 of this title to  
30 resolve discrepancies and ensure the accuracy of results.

31 § 17. Subdivision 3-a of section 3-100 of the election law is renum-  
32 bered subdivision 3-b and a new subdivision 3-a is added to read as  
33 follows:

34 3-a. (a) It shall be unlawful for a member of the state board of  
35 elections to take an active part in political management or in a poli-  
36 tical campaign with respect to any election held pursuant to the  
37 provisions of this chapter or for federal office over which such offi-  
38 cial has supervisory authority. Provided, however, that this section  
39 shall not apply to such officials with respect to an election in which  
40 the official or an immediate family member of the official is a candi-  
41 date.

42 (b) For the purposes of this section, the following terms shall have  
43 the following meanings:

44 (i) "Active part" shall mean service as a member of an authorized  
45 committee of a candidate for office; the use of official authority or  
46 influence for the purpose of interfering with or affecting the result of  
47 an election; and the solicitation, acceptance, or receipt of a contrib-  
48 ution from any person on behalf of a candidate for office.

49 (ii) "Immediate family member" shall mean a candidate's father, moth-  
50 er, son, daughter, brother, sister, husband, wife, father-in-law or  
51 mother-in-law.

52 § 18. Subdivision 11 of section 5-614 of the election law, as added by  
53 chapter 24 of the laws of 2005, is amended to read as follows:

54 11. a. The state board of elections shall establish a statewide voter  
55 hotline [~~using information available through the statewide voter regis-~~  
56 ~~tration list~~] for [~~voters to obtain information regarding their voter~~

1 ~~registration~~] responding to questions and complaints from individuals  
 2 voting or seeking to vote, or registering to vote or seeking to register  
 3 to vote, in elections held pursuant to this chapter or in federal  
 4 elections. Such hotline shall provide same-day, and immediate assistance  
 5 to such individuals, including information on how to register to vote,  
 6 the location and hours of operation of polling places, and how to obtain  
 7 absentee ballots, and assistance to such individuals encountering prob-  
 8 lems with registering to vote or voting, including individuals encount-  
 9 ering intimidation or deceptive practices.

10 b. Such voter hotline shall operate in a manner that ensures that  
 11 individuals with disabilities and individuals with limited proficiency  
 12 in the English language are fully able to use the service.

13 c. The state board of elections shall furnish to the temporary presi-  
 14 dent of the senate, the speaker of the assembly, and the governor, a  
 15 bi-annual report detailing the number and type of calls received by the  
 16 service, a compilation and description of the reports made to the  
 17 service by individuals citing instances of voter intimidation or  
 18 suppression, an assessment of the effectiveness of the service in making  
 19 information available to all households with telephone service, and any  
 20 recommendations to improve the service.

21 § 19. Article 8 of the election law is amended by adding a new title 6  
 22 to read as follows:

23 TITLE VI

24 EARLY VOTING AND VOTING BY MAIL

25 Section 8-600. Early voting; general.

26 8-601. Early voting; length of period.

27 8-602. Polling place requirements.

28 8-603. Early voting; state board of elections.

29 8-604. Voting by mail.

30 § 8-600. Early voting; general. A voter shall be permitted to vote in  
 31 any election held pursuant to the provisions of this chapter during an  
 32 early voting period which occurs prior to the date of the election, in  
 33 the same manner as voting is allowed on such date.

34 § 8-601. Early voting; length of period. 1. The early voting period  
 35 required under section 8-600 of this title, shall consist of a period of  
 36 consecutive days, including weekends, which begins on the fifteenth day  
 37 before the date of the election and ends on the date of the election.

38 2. Such early voting period may commence prior to the fifteenth day  
 39 before the date of the election.

40 § 8-602. Polling place requirements. 1. Each polling place which  
 41 allows voting during an early voting period under section 8-600 of this  
 42 title shall:

43 a. allow such voting for no less than four hours on each day, except  
 44 such polling place may allow such voting for fewer than four hours on  
 45 Sundays; and

46 b. have uniform hours each day for which such voting occurs.

47 2. To the greatest extent practicable, each polling place which allows  
 48 voting during an early voting period under section 8-600 of this title,  
 49 shall be located within walking distance of a stop on a public transpor-  
 50 tation route.

51 § 8-603. Early voting; state board of elections. 1. The state board of  
 52 elections shall issue standards for the administration of early voting  
 53 for a state or local election. Such standards shall include the nondis-  
 54 criminatory geographic placement of polling places at which such voting  
 55 occurs.

1 2. The standards described in subdivision one of this section shall  
2 permit the boards of elections, upon providing adequate public notice,  
3 to deviate from any requirement in the case of unforeseen circumstances  
4 such as a natural disaster, terrorist attack, or a change in voter turn-  
5 out.

6 § 8-604. Voting by mail. A voter qualified to cast a vote in a state  
7 or local election shall not be restricted by additional conditions or  
8 requirements on the eligibility of such voter to vote in such election  
9 by mail, except to the extent the board of elections imposes a deadline  
10 for requesting the ballot and related voting materials from the appro-  
11 priate election official and for returning the ballot to the appropriate  
12 official.

13 § 20. Section 8-400 of the election law is amended by adding a new  
14 subdivision 6-a to read as follows:

15 6-a. An absentee ballot may not be accepted or processed unless the  
16 individual's identity is verified by comparing the individual's signa-  
17 ture on the absentee ballot with the individual's signature on the offi-  
18 cial list of registered voters, in accordance with such procedures  
19 adopted by the state board of elections.

20 § 21. Section 5-104 of the election law is amended by adding a new  
21 subdivision 1-a to read as follows:

22 1-a. For the purpose of registering and voting, no spouse, domestic  
23 partner, or dependent of a person who is absent from the state in  
24 compliance with military or naval orders shall, solely by reason of that  
25 person's absence and without regard to whether or not such family member  
26 is accompanying that person be deemed to have:

27 a. lost a residence or domicile in this state, without regard to  
28 whether or not the person intends to return;

29 b. acquired a residence or domicile in any other state; or

30 c. become a resident in or a resident of any other state.

31 § 22. Section 10-124 of the election law is amended by adding three  
32 new subdivisions 3, 4 and 5 to read as follows:

33 3. Not later than forty-five days before any regularly scheduled  
34 general election the state board of elections shall submit a report to  
35 the governor and attorney general and make that report publicly avail-  
36 able that same day, certifying that absentee ballots for the election  
37 are or will be available for transmission to absent uniformed services  
38 voters and overseas voters by no later than the amount of days prior to  
39 the election as outlined in paragraph (a) of subdivision one of section  
40 10-108 of this article. The report shall be in a form prescribed joint-  
41 ly by the governor and attorney general and shall require certified  
42 specific information about ballot availability from each unit of local  
43 government which will administer the election.

44 4. Not later than twelve days before any regularly scheduled general  
45 election the state board of elections shall submit a report to the  
46 governor and attorney general and make that report publicly available  
47 that same day, certifying whether all absentee ballots have been trans-  
48 mitted by no later than the amount of days prior to the election as  
49 outlined in paragraph (a) of subdivision one of section 10-108 of this  
50 article to all qualified absent uniformed services and overseas voters  
51 whose requests were received prior to such dates before the election.  
52 The report shall be in a form prescribed jointly by the governor and  
53 attorney general and shall require certified specific information about  
54 ballot availability from each unit of local government which will admin-  
55 ister the election.

1 5. Not later than ninety days after the date of each regularly sched-  
2 uled general election the state and county boards of elections which  
3 administered such election shall submit a report to the governor and  
4 attorney general on the combined number of absentee ballots transmitted  
5 to absent uniformed services voters and overseas voters for the election  
6 and the combined number of such ballots which were returned by such  
7 voters and cast in the election, and shall make such report available to  
8 the general public that same day.

9 § 23. Section 10-108 of the election law is amended by adding a new  
10 subdivision 2-a to read as follows:

11 2-a. (a) In the event that the board of elections in any county fails  
12 to meet the requirements of paragraph (a) of subdivision one of this  
13 section the board of elections in such county shall transmit the ballot  
14 to the voter by express delivery or in the case of a voter who has  
15 designated that absentee ballots be transmitted electronically, the  
16 board of elections of such county shall transmit the ballot to the voter  
17 electronically.

18 (b) If, in carrying out the provisions of paragraph (a) of this subdi-  
19 vision, a county board of elections transmits an absentee ballot to an  
20 absent uniformed services voter or overseas voter fewer than seven days  
21 before the election, the county board of elections shall enable the  
22 ballot to be returned by the voter by express delivery.

23 § 24. Section 10-106 of the election law is amended by adding a new  
24 subdivision 9 to read as follows:

25 9. (a) If an application submitted by an absent uniformed services  
26 voter or overseas voter has been accepted and such voter requests that  
27 the application be considered an application for an absentee ballot for  
28 each subsequent election, an absentee ballot shall be provided to such  
29 voter for each subsequent election.

30 (b) Paragraph (a) of this subdivision shall not apply with respect to  
31 a voter registered to vote in any election held after the voter notifies  
32 the board of elections that the voter no longer wishes to be registered  
33 to vote in this state or such county or after the board of elections  
34 determines that the voter has registered to vote in another state or  
35 county or is otherwise no longer eligible to vote.

36 (c) A valid voter registration application or absentee ballot applica-  
37 tion submitted by an absent uniformed services voter or overseas voter  
38 shall not be refused on the grounds that the voter submitted the appli-  
39 cation before the first date on which such applications are accepted or  
40 processed by absentee voters who are not members of the uniformed  
41 services or overseas citizens.

42 § 25. Section 3-404 of the election law is amended by adding a new  
43 subdivision 8 to read as follows:

44 8. (a) An employee in or under a state agency is entitled to leave,  
45 without loss of or reduction in pay, leave to which otherwise entitled,  
46 credit for time or service, or performance or efficiency rating, not to  
47 exceed six days in a leave year, in order to provide election adminis-  
48 tration assistance at a polling place on the date of any election for  
49 public office or to receive any training without which such employee  
50 would be ineligible to provide such assistance.

51 (b) The department of civil service may prescribe regulations for the  
52 administration of this subdivision, including regulations setting forth  
53 the terms and conditions of the election administration assistance an  
54 employee may provide for purposes of paragraph (a) of this subdivision.

55 § 26. The election law is amended by adding a new section 3-422 to  
56 read as follows:

1 § 3-422. Model poll worker training program. 1. The state board of  
2 elections shall develop and provide to each county materials for a model  
3 poll worker training program which the counties may use to train indi-  
4 viduals to serve as poll workers in state and county elections.

5 2. The materials for the model poll worker training program developed  
6 under this section shall include materials to provide training with  
7 respect to the following:

8 (a) the relevant provisions of the laws which apply to the adminis-  
9 tration of elections, including but not limited to the Voting Rights Act  
10 of 1965 and the Help America Vote Act of 2002;

11 (b) the provision of access to voting to individuals with disabilities  
12 in a manner which preserves the dignity and privacy of such individuals;

13 (c) the provision of access to voting to individuals with limited  
14 English language proficiency, and to individuals who are members of  
15 racial or ethnic minorities, consistent with the protections provided  
16 for such individuals under relevant law, in a manner which preserves the  
17 dignity of such individuals;

18 (d) practical experience in the use of voting machines which will be  
19 used in the election involved, including the accessibility features of  
20 such machines; and

21 (e) such other election administration subjects as the state board of  
22 elections considers appropriate to ensure that poll workers are able to  
23 efficiently assist with the administration of elections.

24 § 27. Section 3-212 of the election law is amended by adding a new  
25 subdivision 6 to read as follows:

26 6. Before the state board of elections or any local board of elections  
27 makes any changes in administration, regulations, policies, practices  
28 and procedures affecting counties with at least ten percent African  
29 American, Hispanic, Asian and/or Native American registered voters who  
30 average fifty percent or less voter turnout over the past five general  
31 elections and/or have any minority voter complaints or government  
32 enforcement actions within the past ten years, must submit such changes  
33 to the civil rights bureau of the attorney general's office for  
34 approval. This shall not apply to any changes made pursuant to law.

35 § 28. The sum of five million dollars (\$5,000,000) is hereby appropri-  
36 ated to the state board of elections out of any moneys in the state  
37 treasury in the general fund to the credit of the state purposes  
38 account, not otherwise appropriated, and made immediately available, for  
39 the purpose of carrying out the provisions of section 3-508 of the  
40 election law. Such moneys shall be payable on the audit and warrant of  
41 the comptroller on vouchers certified or approved by a majority of the  
42 commissioners of the state board of elections in the manner prescribed  
43 by law.

44 § 29. This act shall take effect immediately and shall apply to all  
45 elections conducted in 2020 and thereafter. Provided, however, that  
46 section twenty-six of this act shall take effect one year after this act  
47 takes effect.