STATE OF NEW YORK

7311

2017-2018 Regular Sessions

IN ASSEMBLY

April 21, 2017

Introduced by M. of A. THIELE -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to permitting persons registered to vote but not enrolled in a party to vote in the presidential primary

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

Section 1. Section 1-104 of the election law is amended by adding a new subdivision 38 to read as follows:

38. The term "undeclared voter" means a person registered to vote and who is not enrolled in a party pursuant to article five of this chapter.

§ 2. The election law is amended by adding a new section 2-123 to read as follows:

§ 2-123. Open presidential primaries. Notwithstanding any provision of law to the contrary, after the effective date of this section, an undeclared voter shall be permitted to vote in the presidential primary of any party. Such undeclared voter may only vote in the presidential primary of one party. Such undeclared voter shall select the party in which the voter wishes to cast such a ballot on the day of the presidential primary at the polling place of the undeclared voter at the time such voter seeks to cast a ballot.

§ 3. This act shall take effect immediately.

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

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