

# STATE OF NEW YORK

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8617

## IN SENATE

May 10, 2018

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Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law and the town law, in relation to clarifying that individuals have the ability to vote by absentee ballot where their maximum sentence of imprisonment has expired

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

1 Section 1. Paragraph b of subdivision 5 of section 2018-a of the  
2 education law, as amended by section 8 of part LL of chapter 56 of the  
3 laws of 2010, is amended to read as follows:

4 b. On the reverse side of such envelope shall be printed the following  
5 statement:

6 STATEMENT OF ABSENTEE VOTER

7 I do declare that I am a citizen of the United States, and will be at  
8 least eighteen years of age, on the date of the school district  
9 election; that I will have been a resident of this state and of the  
10 school district and school election district, if any, shown on the  
11 reverse side of this envelope for thirty days next preceding the said  
12 election and duly registered in the school district and school election  
13 district, if any, shown on the reverse side of this envelope and that I  
14 am or on such date will be, a qualified voter of said school district;  
15 that I will be unable to appear personally on the day of said school  
16 district election at the polling place of the said district in which I  
17 am or will be a qualified voter because of the reason stated on my  
18 application heretofore submitted; that I have not qualified, or do I  
19 intend to vote, elsewhere than as set forth on the reverse side of this  
20 envelope; that I have not received or offered, do not expect to receive,  
21 have not paid, offered or promised to pay, contributed, offered or prom-  
22 ised to contribute to another to be paid or used, any money or other  
23 valuable thing, as a compensation or reward for the giving or withhold-  
24 ing of a vote at this school district election, and have not made any  
25 promise to influence the giving or withholding of any such votes; that I

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

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1 have not made or become directly or indirectly interested in any bet or  
2 wager depending upon the result of this school district election; and  
3 that I have not been convicted of bribery or any infamous crime, or, if  
4 so convicted, that I have been pardoned or restored to all the rights of  
5 a citizen, without restriction as to the right of suffrage, or received  
6 a certificate of relief from disabilities or a certificate of good  
7 conduct pursuant to article twenty-three of the correction law removing  
8 my disability to register and vote or my maximum sentence of imprison-  
9 ment has expired or I have been discharged from parole.

10 I hereby declare that the foregoing is a true statement to the best of  
11 my knowledge and belief, and I understand that if I make any material  
12 false statement in the foregoing statement of absentee voter, I shall be  
13 guilty of a misdemeanor.

14 Date.....Signature of Voter .....

15 § 2. Paragraph b of subdivision 6 of section 2018-b of the education  
16 law, as amended by section 9 of part LL of chapter 56 of the laws of  
17 2010, is amended to read as follows:

18 b. On the reverse side of such envelope shall be printed the following  
19 statement:

20 STATEMENT OF ABSENTEE VOTER

21 I do declare that I am a citizen of the United States, and will be at  
22 least eighteen years of age on the date of the school district election;  
23 that I will have been a resident of this state and of the school  
24 district and school election district, if any, shown on the reverse side  
25 of this envelope for thirty days next preceding the said election and  
26 that I am or on such date will be, a qualified voter of said school  
27 district; that I will be unable to appear personally on the day of said  
28 school district election at the polling place of the said district in  
29 which I am or will be a qualified voter because of the reason stated on  
30 my application heretofore submitted; that I have not qualified, or do I  
31 intend to vote, elsewhere than as set forth on the reverse side of this  
32 envelope; that I have not received or offered, do not expect to receive,  
33 have not paid, offered or promised to pay, contributed, offered or prom-  
34 ised to contribute to another to be paid or used, any money or other  
35 valuable thing, as a compensation or reward for the giving or withhold-  
36 ing of a vote at this school district election, and have not made any  
37 promise to influence the giving or withholding of any such votes; that I  
38 have not made or become directly or indirectly interested in any bet or  
39 wager depending upon the result of this school district election; and  
40 that I have not been convicted of bribery or any infamous crime, or, if  
41 so convicted, that I have been pardoned or restored to all the rights of  
42 a citizen, without restriction as to the right of suffrage, or have  
43 received a certificate of relief from disabilities or a certificate of  
44 good conduct pursuant to article twenty-three of the correction law  
45 removing my disability to vote or my maximum sentence of imprisonment  
46 has expired or I have been discharged from parole.

47 I hereby declare that the foregoing is a true statement to the best of  
48 my knowledge and belief, and I understand that if I make any material  
49 false statement in the foregoing statement of absentee voter, I shall be  
50 guilty of a misdemeanor.

1 Date.....Signature of Voter .....

2 § 3. Paragraph b of subdivision 5 of section 84-a of the town law, as  
3 amended by section 10 of part LL of chapter 56 of the laws of 2010, is  
4 amended to read as follows:

5 b. On the reverse side of such envelope shall be printed the following  
6 statement:

7 STATEMENT OF ABSENTEE VOTER

8 I do declare that I will have been a citizen of the United States for  
9 thirty days, and will be at least eighteen years of age, on the date of  
10 the special town election; that I will have been a resident of this  
11 state and of the town shown on the reverse side of this envelope for  
12 thirty days next preceding the said election; that I am or on such date  
13 will be, a registered voter of said town; that I will be unable to  
14 appear personally on the day of said special town election at the poll-  
15 ing place of the election district in which I am or will be a qualified  
16 voter because of the reason stated on my application heretofore submit-  
17 ted; that I have not qualified, or do I intend to vote, elsewhere than  
18 as set forth on the reverse side of this envelope; that I have not  
19 received or offered, do not expect to receive, have not paid, offered or  
20 promised to pay, contributed, offered or promised to contribute to  
21 another to be paid or used, any money or other valuable thing, as a  
22 compensation or reward for the giving or withholding of a vote at this  
23 special town election, and have not made any promise to influence the  
24 giving or withholding of any such votes; that I have not made or become  
25 directly or indirectly interested in any bet or wager depending upon the  
26 result of this special town election; and that I have not been convicted  
27 of bribery or any infamous crime, or, if so convicted, that I have been  
28 pardoned or restored to all the rights of a citizen, without restriction  
29 as to the right of suffrage, or received a certificate of relief from  
30 disabilities or a certificate of good conduct pursuant to article twen-  
31 ty-three of the correction law removing my disability to register and  
32 vote or my maximum sentence of imprisonment has expired or I have been  
33 discharged from parole.

34 I hereby declare that the foregoing is a true statement to the best of  
35 my knowledge and belief, and I understand that if I make any material  
36 false statement in the foregoing statement of absentee voter, I shall be  
37 guilty of a misdemeanor.

38 Date..... Signature of Voter.....

39 § 4. Paragraph b of subdivision 5 of section 175-b of the town law, as  
40 amended by section 11 of part LL of chapter 56 of the laws of 2010, is  
41 amended to read as follows:

42 b. On the reverse side of such envelope shall be printed the follow-  
43 ing statement:

44 STATEMENT OF ABSENTEE VOTER

45 I do declare that I will have been a citizen of the United States for  
46 thirty days, and will be at least eighteen years of age, on the date of  
47 the district election; that I will have been a resident of this state  
48 and of the district if any, shown on the reverse side of this envelope  
49 for thirty days next preceding the said election and that I am or on  
50 such date will be, a registered voter of said district; that I will be  
51 unable to appear personally on the day of said district election at the  
52 polling place of the said district in which I am or will be a qualified  
53 voter because of the reason stated on my application heretofore submit-  
54 ted; that I have not qualified, or do I intend to vote, elsewhere than  
55 as set forth on the reverse side of this envelope; that I have not

1 received or offered, do not expect to receive, have not paid, offered or  
2 promised to pay, contributed, offered or promised to contribute to  
3 another to be paid or used, any money or other valuable thing, as a  
4 compensation or reward for the giving or withholding of a vote at this  
5 district election, and have not made any promise to influence the giving  
6 or withholding of any such votes; that I have not made or become direct-  
7 ly or indirectly interested in any bet or wager depending upon the  
8 result of this district election; and that I have not been convicted of  
9 bribery or any infamous crime, or, if so convicted, that I have been  
10 pardoned or restored to all the rights of a citizen, without restriction  
11 as to the right of suffrage, or received a certificate of relief from  
12 disabilities or a certificate of good conduct pursuant to article twenty-  
13 three of the correction law removing my disability to register and  
14 vote or my maximum sentence of imprisonment has expired or I have been  
15 discharged from parole.

16 I hereby declare that the foregoing is a true statement to the best of  
17 my knowledge and belief, and I understand that if I make any material  
18 false statement in the foregoing statement of absentee voter, I shall be  
19 guilty of a misdemeanor.

20 Date.....Signature of Voter.....

21 § 5. Paragraph b of subdivision 5 of section 213-b of the town law, as  
22 amended by section 12 of part LL of chapter 56 of the laws of 2010, is  
23 amended to read as follows:

24 b. On the reverse side of such envelope shall be printed the follow-  
25 ing statement:

26 STATEMENT OF ABSENTEE VOTER

27 I do declare that I will have been a citizen of the United States for  
28 thirty days, and will be at least eighteen years of age, on the date of  
29 the district election; that I will have been a resident of this state  
30 and of the district if any, shown on the reverse side of this envelope  
31 for thirty days next preceding the said election and that I am or on  
32 such date will be, a registered voter of said district; that I will be  
33 unable to appear personally on the day of said district election at the  
34 polling place of the said district in which I am or will be a qualified  
35 voter because of the reason stated on my application heretofore submit-  
36 ted; that I have not qualified, or do I intend to vote, elsewhere than  
37 as set forth on the reverse side of this envelope; that I have not  
38 received or offered, do not expect to receive, have not paid, offered or  
39 promised to pay, contributed, offered or promised to contribute to  
40 another to be paid or used, any money or other valuable thing, as a  
41 compensation or reward for the giving or withholding of a vote at this  
42 district election, and have not made any promise to influence the giving  
43 or withholding of any such votes; that I have not made or become direct-  
44 ly or indirectly interested in any bet or wager depending upon the  
45 result of this district election; and that I have not been convicted of  
46 bribery or any infamous crime, or, if so convicted, that I have been  
47 pardoned or restored to all the rights of a citizen, without restriction  
48 as to the right of suffrage, or received a certificate of relief from  
49 disabilities or a certificate of good conduct pursuant to article twenty-  
50 three of the correction law removing my disability to register and  
51 vote or my maximum sentence of imprisonment has expired or I have been  
52 discharged from parole.

53 I hereby declare that the foregoing is a true statement to the best of  
54 my knowledge and belief, and I understand that if I make any material

1 false statement in the foregoing statement of absentee voter, I shall be  
2 guilty of a misdemeanor.  
3 Date..... Signature of Voter .....  
4 § 6. This act shall take effect immediately.