

STATE OF NEW YORK

1320

2019-2020 Regular Sessions

IN ASSEMBLY

January 14, 2019

Introduced by M. of A. CAHILL -- Multi-Sponsored by -- M. of A. ARROYO, COOK, GOTTFRIED, RIVERA -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to voter affidavits

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

1 Section 1. Subparagraph (ii) of paragraph (e) of subdivision 3 of
2 section 8-302 of the election law, as amended by chapter 164 of the laws
3 of 2010, is amended to read as follows:

4 (ii) He or she may swear to and subscribe an affidavit stating that he
5 or she has duly registered to vote, the address in such election
6 district from which he or she registered, that he or she remains a duly
7 qualified voter in such election district, that his or her registration
8 poll record appears to be lost or misplaced or that his or her name
9 and/or his or her signature was omitted from the computer generated
10 registration list or that he or she has moved within the county or city
11 since he or she last registered, [~~the address from which he or she was~~
12 ~~previously registered and~~] the address at which he or she currently
13 resides, and at a primary election, the party in which he or she is
14 enrolled. The inspectors of election shall offer such an affidavit to
15 each such voter whose residence address is in such election district.
16 Each such affidavit shall substantially comply with and be in a form
17 prescribed by the state board of elections, shall be printed on an
18 envelope of the size and quality used for an absentee ballot envelope,
19 and shall contain an acknowledgment that the affiant understands that
20 any false statement made therein is perjury punishable according to law.
21 Such form prescribed by the state board of elections shall request
22 information required to register such voter should the county board
23 determine that such voter is not registered and shall constitute an
24 application to register to vote. The voter's name and the entries
25 required shall then be entered without delay and without further inquiry

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

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1 in the fourth section of the challenge report or in the place provided
2 at the end of the computer generated registration list, with the nota-
3 tion that the voter has executed the affidavit hereinabove prescribed,
4 or, if such person's name appears on the computer generated registration
5 list, the board of elections may provide a place to make such entry next
6 to his or her name on such list. The voter shall then, without further
7 inquiry, be permitted to vote an affidavit ballot provided for by this
8 chapter. Such ballot shall thereupon be placed in the envelope contain-
9 ing his or her affidavit, and the envelope sealed and returned to the
10 board of elections in the manner provided by this chapter for protested
11 official ballots, including a statement of the number of such ballots.
12 § 2. This act shall take effect immediately.