STATE OF NEW YORK

1096

2019-2020 Regular Sessions

IN ASSEMBLY

January 14, 2019

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

AN ACT to amend the election law, in relation to establishing compulsory voting in this state

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

Section 1. Section 5-100 of the election law, as amended by chapter 373 of the laws of 1978, is amended to read as follows:

§ 5-100. Registration; required. **1.** A person shall not be entitled to vote in any election held pursuant to this chapter unless he shall be registered, and if required, enrolled pursuant to the provisions of this article unless he shall present a court order directing that he be permitted to vote at such election.

2. All persons eligible to vote or who will be eligible by the date of a general election, not including a primary or school district election, shall register before the date specified under section 5-210 of this article.

3. Where a specific provision of law relating to the registration of voters exists in any other statute, which is inconsistent with the provisions of this article, such provision shall apply and the provisions of this article not inconsistent therewith shall apply.

§ 2. The election law is amended by adding a new section 8-310 to read as follows:

§ 8-310. Voting; required. 1. All eligible voters shall vote at each election in person or by absentee ballot; provided however that the requirement to vote shall not apply to a primary or school board election.

2. The sole duty imposed under this section shall be to return a ballot. No person shall be compelled to cast a valid vote.

3. An eligible voter who fails to cast a ballot shall be subject to a ten dollar fine. The state board of elections may waive the fine for any

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

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person who submits timely proof of a valid excuse. Any funds recovered pursuant to this section shall be utilized for the improvement of the election process.

§ 3. The state board of elections shall promulgate such rules and regulations as it deems appropriate to carry out the purposes of this act. Such rules and regulations may include, but are not limited to, a process for waiving the fine in the event of a valid excuse, and what constitutes a valid excuse.

§ 4. This act shall take effect immediately.