STATE OF NEW YORK

S. 1510--A A. 2010--A

SENATE - ASSEMBLY

January 18, 2019

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to requiring certain candidates to disclose tax returns (Part A); to amend the election law, in relation to establishing contribution limits and a public campaign financing system; to amend the state finance law, in relation to establishing the New York state campaign finance fund; and to amend the tax law, in relation to establishing a New York state campaign finance fund checkoff (Part B); to amend the election law, in relation to enacting the Voter Enfranchisement Modernization Act of 2019; in relation to establishing the electronic personal voter registration process (Part C); to amend the election law, in relation to early voting implementation (Part D); to amend the election law, in relation to primary elections and amending certain deadlines to facilitate the timely transmission of ballots to military voters stationed overseas; to amend the election law, in relation to date of primary elections; to amend the election law, in relation to canvass and audit of returns; and to amend the public officers law, in relation to filling vacancies in elective offices (Subpart A); to amend the election law, in relation to vacancies for elective offices; to judicial proceedings for designating or nominating petitions and to ballots for primary and general elections (Subpart B)(Part E); to amend the election law, in relation to political contributions by limited liability companies (Part F); to amend the election law, in relation to integrated personal voter registration applications (Part G); to amend the election law, in relation to time allowed for employees to vote (Part H); to amend the election law, in relation to providing uniform polling hours during primary elections (Part I); to amend the election law, in relation to providing for the pre-registration of voters (Part

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

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J); to amend the election law, in relation to prohibiting vendors engaged in procurements with the state from making campaign contributions to elected officials (Part K); to amend the election law, in relation to implementing automatic voter registration updates for any voter who moves anywhere within the state (Part L); to amend the election law, in relation to prohibiting certain loans to be made to candidates or political committees (Part M); to amend the election law, in relation to authorizing computer generated registration lists; in relation to the list of supplies to be delivered to poll sites (Part N); to amend the legislative law, in relation to disclosing lobbyist filing of campaign contributions, solicitations of contributions, and political consulting reports (Part O); to amend the legislative law, in relation to prohibiting lobbyists from engaging in political consulting for candidates for and holders of state office and prohibiting certain political consultants from engaging in lobbying; and to amend the election law, in relation to requiring the reporting of the provision of political consulting services (Part P); to amend the executive law, in relation to disclosure requirements for certain nonprofits (Part Q); to amend the legislative law, in relation to lowering the monetary disclosure threshold for lobbyists to report prior relationships with agencies or elected officials and to file statements of registration (Part R); to amend the legislative law to increase penalties for lobbyists who are convicted of a crime (Part S); to amend the public officers law, in relation to increasing the length of the existing bar on the appearance and practice of former state officers or employees, members of the legislature and members of the executive chamber (Part T); to amend the civil service law, in relation to prohibiting staff of elected state officials to perform volunteer services for the election campaigns of such officials (Part U); to amend the executive law and the general municipal law, in relation to requiring the financial disclosures of certain local officials (Part V); to amend the legislative law, in relation to creating and enforcing a code of conduct for lobbyists (Part W); and to amend the election law, in relation to motor vehicle voter registration; and to repeal section 5-212 of the election law relating thereto (Part X)

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

Section 1. This act enacts into law major components of legislation which are necessary to implement the state fiscal plan for the 2019-2020 state fiscal year. Each component is wholly contained within a Part identified as Parts A through X. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

Section 1. The election law is amended by adding a new section 6-170 to read as follows:

§ 6-170. Disclosure of tax returns by candidates for public office. 1. Not later than sixty days before a general election, any candidate for the office of governor, lieutenant governor, attorney general, comptroller, state senator, and member of the assembly, other than a write-in candidate, shall:

(a) file with the state board of elections copies of the federal and New York state income tax returns of such candidate for at least the ten most recent taxable years for which such returns have been filed if such candidate is a candidate for statewide office, and for at least the five most recent taxable years for which such returns have been filed if such candidate is a candidate for state senator or member of the assembly; and

(b) provide written consent to the commissioners of the state board of elections, in such form as shall be prescribed by the state board of elections, for the public disclosure of such returns pursuant to subdivision two of this section.

2. Income tax returns filed with the state board of elections by a candidate pursuant to subdivision one of this section shall be made publicly available on the website of the state board of elections no later than seven days after such income tax returns have been filed, subject to such redaction as may be warranted pursuant to subdivision three of this section.

3. Prior to making any income tax return filed pursuant to subdivision one of this section public, the state board of elections shall redact such information as the board, in consultation with the commissioner of taxation and finance or his or her delegate, deems appropriate or required by law. The candidate shall be entitled to request that the board make particular redactions at the time that the candidate files the returns with the board pursuant to paragraph (a) of subdivision one of this section.

4. Notwithstanding any other section of law to the contrary, if a candidate has not timely filed with the state board of elections the income tax returns and written consent required by subdivision one of this section, the name of such candidate shall not be printed upon the official ballot for the general election.

§ 2. This act shall take effect immediately.

PART B

Section 1. Section 14-100 of the election law is amended by adding two new subdivisions 18 and 19 to read as follows:

18. "Intermediary" shall mean an individual, corporation, partnership, political committee, employee organization or other entity which bundles, causes to be delivered or otherwise delivers any contribution from another person or entity to a candidate or authorized committee, other than in the regular course of business as a postal, delivery or messenger service. Provided, however, that an "intermediary" shall not include spouses, domestic partners, parents, children or siblings of the person making such contribution or a staff member or volunteer of the campaign identified in writing to the state board of elections. As used in this subdivision "causes to be delivered" shall include providing postage, envelopes or other shipping materials for the use of delivering the contribution to the ultimate recipient.

19. "authorized committee" means the single political committee designated by a candidate to receive all contributions authorized by this title.

§ 2. Subdivision 1 of section 14-102 of the election law, as amended by chapter 8 and as redesignated by chapter 9 of the laws of 1978, is amended to read as follows:

1. The treasurer of every political committee which, or any officer, member or agent of any such committee who, in connection with any election, receives or expends any money or other valuable thing or incurs any liability to pay money or its equivalent shall file statements sworn, or subscribed and bearing a form notice that false statements made therein are punishable as a class A misdemeanor pursuant to section 210.45 of the penal law, at the times prescribed by this [~~article~~] title setting forth all the receipts, contributions to and the expenditures by and liabilities of the committee, and of its officers, members and agents in its behalf. Such statements shall include the dollar amount of any receipt, contribution or transfer, or the fair market value of any receipt, contribution or transfer, which is other than of money, the name and address of the transferor, contributor, intermediary, or person from whom received, and if the transferor, contributor, intermediary, or person is a political committee; the name of and the political unit represented by the committee, the date of its receipt, the dollar amount of every expenditure, the name and address of the person to whom it was made or the name of and the political unit represented by the committee to which it was made and the date thereof, and shall state clearly the purpose of such expenditure. An intermediary need not be reported for a contribution that was collected from a contributor in connection with a party or other candidate-related event held at the residence of the person delivering the contribution, unless the expenses of such event at such residence for such candidate exceed five hundred dollars or the aggregate contributions received from that contributor at such event exceed five hundred dollars. Any statement reporting a loan shall have attached to it a copy of the evidence of indebtedness. Expenditures in sums under fifty dollars need not be specifically accounted for by separate items in said statements, and receipts and contributions aggregating not more than ninety-nine dollars, from any one contributor need not be specifically accounted for by separate items in said statements, provided however, that such expenditures, receipts and contributions shall be subject to the other provisions of section 14-118 of this [~~article~~] title.

§ 3. Subdivision 3 of section 14-124 of the election law, as amended by section 1 of part B of chapter 286 of the laws of 2016, is amended to read as follows:

3. The contribution and receipt limits of this article shall not apply to monies received and expenditures made by a party committee or constituted committee to maintain a permanent headquarters and staff and carry on ordinary activities which are not for the express purpose of promoting the candidacy of specific candidates, except that contributions made for such activities to a party committee or constituted committee shall be limited to twenty-five thousand dollars in the aggregate from each contributor in each year; provided that such monies described in this subdivision shall be deposited in a segregated account.

§ 4. Subdivision 2 of section 14-108 of the election law, as amended by chapter 109 of the laws of 1997, is amended to read as follows:

2. Each statement shall cover the period up to and including the fourth day next preceding the day specified for the filing thereof[~~: provided, however, that~~]. The receipt of any contribution or loan in excess of one thousand dollars shall be disclosed within sixty days of receipt. If such contribution or loan would not otherwise be reported

within sixty days of receipt on the next applicable statement, then the contribution or loan shall be separately reported within sixty days of receipt in the same manner as any other contribution or loan. However, any contribution or loan in excess of one thousand dollars, if received after the close of the period to be covered in the last statement filed before any primary, general or special election but before such election, shall be reported, in the same manner as other contributions, within twenty-four hours after receipt.

§ 5. The article heading of article 14 of the election law is amended to read as follows:

CAMPAIGN RECEIPTS AND EXPENDITURES; PUBLIC FINANCING

§ 6. Subdivisions 1 and 10 of section 14-114 of the election law, subdivision 1 as amended and subdivision 10 as added by chapter 79 of the laws of 1992 and paragraphs a and b of subdivision 1 as amended by chapter 659 of the laws of 1994, are amended to read as follows:

1. The following limitations apply to all contributions to candidates for election to any public office or for nomination for any such office, or for election to any party positions, and to all contributions to political committees working directly or indirectly with any candidate to aid or participate in such candidate's nomination or election, other than any contributions to any party committee or constituted committee:

a. In any election for a public office to be voted on by the voters of the entire state, or for nomination to any such office, no contributor may make a contribution to any candidate or political committee participating in the state's public campaign financing system pursuant to title two of this article, and no such candidate or political committee may accept any contribution from any contributor, which is in the aggregate amount greater than: (i) in the case of any nomination to public office, the product of the total number of enrolled voters in the candidate's party in the state, excluding voters in inactive status, multiplied by $.005, but such amount shall be not [~~less than four thousand dollars nor~~] more than [~~twelve~~] six thousand dollars [~~as increased or decreased by the cost of living adjustment described in paragraph c of this subdivision,~~] and (ii) in the case of any election to [~~a~~] such public office, [~~twenty-five~~] six thousand dollars [~~as increased or decreased by the cost of living adjustment described in paragraph c of this subdivision~~]; provided however, that the maximum amount which may be so contributed or accepted, in the aggregate, from any candidate's child, parent, grandparent, brother and sister, and the spouse of any such persons, shall not exceed in the case of any nomination to public office an amount equivalent to the product of the number of enrolled voters in the candidate's party in the state, excluding voters in inactive status, multiplied by $.025, and in the case of any election for a public office, an amount equivalent to the product of the number of registered voters in the state excluding voters in inactive status, multiplied by $.025.

b. In any other election for party position or for election to a public office or for nomination for any such office, no contributor may make a contribution to any candidate or political committee participating in the state's public campaign financing system pursuant to title two of this article (for those offices or positions covered by that system) and no such candidate or political committee may accept any contribution from any contributor, which is in the aggregate amount greater than: (i) in the case of any election for party position, or for nomination to public office, the product of the total number of enrolled voters in the candidate's party in the district in which he is a candi-

date, excluding voters in inactive status, multiplied by $.05, and (ii) in the case of any election for a public office, the product of the total number of registered voters in the district, excluding voters in inactive status, multiplied by $.05, [~~however in the case of a nomination within the city of New York for the office of mayor, public advocate or comptroller, such amount shall be not less than four thousand dollars nor more than twelve thousand dollars as increased or decreased by the cost of living adjustment described in paragraph [c~~] e of this subdivision; in the case of an election within the city of New York for the office of mayor, public advocate or comptroller, twenty-five thousand dollars as increased or decreased by the cost of living adjustment described in paragraph [~~c~~] e of this subdivision;] in the case of a nomination or election for state senator, four thousand dollars [~~as increased or decreased by the cost of living adjustment described in paragraph c of this subdivision; in the case of an election for state senator, six thousand two hundred fifty dollars as increased or decreased by the cost of living adjustment described in paragraph c of this subdivision~~]; in the case of an election or nomination for a member of the assembly, [~~twenty-five hundred~~] two thousand dollars [~~as increased or decreased by the cost of living adjustment described in paragraph c of this subdivision; but in no event shall any such maximum exceed fifty thousand dollars or be less than one thousand dollars~~]; provided however, that the maximum amount which may be so contributed or accepted, in the aggregate, from any candidate's child, parent, grandparent, brother and sister, and the spouse of any such persons, shall not exceed in the case of any election for party position or nomination for public office an amount equivalent to the number of enrolled voters in the candidate's party in the district in which he is a candidate, excluding voters in inactive status, multiplied by $.25 and in the case of any election to public office, an amount equivalent to the number of registered voters in the district, excluding voters in inactive status, multiplied by $.25; or twelve hundred fifty dollars, whichever is greater, or in the case of a nomination or election of a state senator, twenty thousand dollars, whichever is greater, or in the case of a nomination or election of a member of the assembly, twelve thousand five hundred dollars, whichever is greater, but in no event shall any such maximum exceed one hundred thousand dollars.

c. In any election for a public office to be voted on by the voters of the entire state, or for nomination to any such office, no contributor may make a contribution to any candidate or political committee in connection with a candidate who is not a participating candidate as defined in subdivision fourteen of section 14-200-a of this article, and no such candidate or political committee may accept any contribution from any contributor, which is in the aggregate amount greater than: (i) in the case of any nomination to public office, the product of the total number of enrolled voters in the candidate's party in the state, excluding voters in inactive status, multiplied by $.005, but such amount shall be not less than four thousand dollars nor more than ten thousand dollars, and (ii) in the case of any election to a public office, fifteen thousand dollars; provided however, that the maximum amount which may be so contributed or accepted, in the aggregate, from any candidate's child, parent, grandparent, brother and sister, and the spouse of any such persons, shall not exceed in the case of any nomination to public office an amount equivalent to the product of the number of enrolled voters in the candidate's party in the state, excluding voters in inactive status, multiplied by $.025, and in the case of

any election for a public office, an amount equivalent to the product of the number of registered voters in the state excluding voters in inactive status, multiplied by $.025.

d. In any other election for party position or for election to a public office or for nomination for any such office, no contributor may make a contribution to any candidate or political committee in connection with a candidate who is not a participating candidate as defined in subdivision fourteen of section 14-200-a of this article and no such candidate or political committee may accept any contribution from any contributor, which is in the aggregate amount greater than: (i) in the case of any election for party position, or for nomination to public office, the product of the total number of enrolled voters in the candidate's party in the district in which he is a candidate, excluding voters in inactive status, multiplied by $.05, and (ii) in the case of any election for a public office, the product of the total number of registered voters in the district, excluding voters in inactive status, multiplied by $.05, however in the case of a nomination within the city of New York for the office of mayor, public advocate or comptroller, such amount shall be not less than four thousand dollars nor more than twelve thousand dollars as increased or decreased by the cost of living adjustment described in paragraph e of this subdivision; in the case of an election within the city of New York for the office of mayor, public advocate or comptroller, twenty-five thousand dollars as increased or decreased by the cost of living adjustment described in paragraph e of this subdivision; in the case of a nomination or election for state senator, five thousand dollars; in the case of an election or nomination for a member of the assembly, three thousand dollars; provided however, that the maximum amount which may be so contributed or accepted, in the aggregate, from any candidate's child, parent, grandparent, brother and sister, and the spouse of any such persons, shall not exceed in the case of any election for party position or nomination for public office an amount equivalent to the number of enrolled voters in the candidate's party in the district in which he is a candidate, excluding voters in inactive status, multiplied by $.25 and in the case of any election to public office, an amount equivalent to the number of registered voters in the district, excluding voters in inactive status, multiplied by $.25; or twelve hundred fifty dollars, whichever is greater, or in the case of a nomination or election of a state senator, twenty thousand dollars, whichever is greater, or in the case of a nomination or election of a member of the assembly, twelve thousand five hundred dollars, whichever is greater, but in no event shall any such maximum exceed one hundred thousand dollars.

e. At the beginning of each fourth calendar year, commencing in [~~nineteen hundred ninety-five~~] two thousand twenty-two, the state board shall determine the percentage of the difference between the most recent available monthly consumer price index for all urban consumers published by the United States bureau of labor statistics and such consumer price index published for the same month four years previously. The amount of each contribution limit fixed and expressly identified for adjustment in this subdivision shall be adjusted by the amount of such percentage difference to the closest one hundred dollars by the state board which, not later than the first day of February in each such year, shall issue a regulation publishing the amount of each such contribution limit. Each contribution limit as so adjusted shall be the contribution limit in effect for any election held before the next such adjustment.

f. Each party or constituted committee may transfer to, or spend to elect or oppose a candidate, or transfer to another party or constituted committee, no more than five thousand dollars per election, except that such committee may in addition to such transfers or expenditures:

(i) in a general or special election transfer to, or spend to elect or oppose a candidate, no more than five hundred dollars received from each contributor; and

(ii) in any election spend without limitation for non-candidate expenditures not designed or intended to elect a particular candidate or candidates.

g. Notwithstanding any other contribution limit in this section, participating candidates as defined in subdivision fourteen of section 14-200-a of this article may contribute, out of their own money, three times the applicable contribution limit to their own authorized committee.

10. [~~a.~~] No contributor may make a contribution to a party or constituted committee and no such committee may accept a contribution from any contributor which, in the aggregate, is greater than [~~sixty-two thousand five hundred~~] twenty-five thousand dollars per annum.

[~~b. At the beginning of each fourth calendar year, commencing in nineteen hundred ninety-five, the state board shall determine the percentage of the difference between the most recent available monthly consumer price index for all urban consumers published by the United States bureau of labor statistics and such consumer price index published for the same month four years previously. The amount of such contribution limit fixed in paragraph a of this subdivision shall be adjusted by the amount of such percentage difference to the closest one hundred dollars by the state board which, not later than the first day of February in each such year, shall issue a regulation publishing the amount of such contribution limit. Such contribution limit as so adjusted shall be the contribution limit in effect for any election held before the next such adjustment.~~]

§ 7. Sections 14-100 through 14-132 of article 14 of the election law are designated title I and a new title heading is added to read as follows:

CAMPAIGN RECEIPTS AND EXPENDITURES

§ 8. Article 14 of the election law is amended by adding a new title II to read as follows:

TITLE II
PUBLIC FINANCING

Section 14-200. Legislative findings and intent.
14-200-a. Definitions.
14-201. Reporting requirements.
14-202. Contributions.
14-203. Proof of compliance.
14-204. Eligibility.
14-205. Limits on public financing.
14-206. Payment of public matching funds.
14-207. Use of public matching funds; qualified campaign expenditures.
14-208. Powers and duties of the board.
14-209. Audits and repayments.
14-210. Enforcement and penalties for violations and other proceedings.

14-211. Reports.
14-212. Debates for candidates for statewide office.
14-213. Severability.

§ 14-200. Legislative findings and intent. The legislature finds that reform of New York state's campaign finance system is crucial to improving public confidence in the state's democratic processes and continuing to ensure a government that is accountable to all of the voters of the state regardless of wealth or position. The legislature finds that New York's current system of campaign finance, with its large contributions to candidates for office and party committees, has created the potential for and the appearance of corruption. The legislature further finds that, whether or not this system creates actual corruption, the appearance of such corruption can give rise to a distrust in government and citizen apathy that undermine the democratic operation of the political process.

The legislature also finds that the high cost of running for office in New York discourages qualified candidates from running for office and creates an electoral system that encourages candidates to spend too much time raising money rather than attending to the duties of their office, representing the needs of their constituents, and communicating with voters.

The legislature amends this chapter creating a new title two to article fourteen of this chapter to reduce the possibility and appearance that special interests exercise undue influence over state officials; to increase the actual and apparent responsiveness of elected officials to all voters; to encourage qualified candidates to run for office; and to reduce the pressure on candidates to spend large amounts of time raising large contributions for their campaigns.

The legislature finds that this article's limitations on contributions further the government's interest in reducing real and apparent corruption and in building trust in government. The legislature finds that the contribution levels are sufficiently high to allow candidates and political parties to raise enough money to run effective campaigns. In addition, the legislature finds that graduated contribution limitations reflect the campaign needs of candidates for different offices.

The legislature also finds that the system of voluntary public financing furthers the government's interest in encouraging qualified candidates to run for office. The legislature finds that the voluntary public funding program will enlarge the public debate and increase participation in the democratic process. In addition, the legislature finds that the voluntary expenditure limitations and matching fund program reduce the burden on candidates and officeholders to spend time raising money for their campaigns.

Therefore, the legislature declares that these amendments further the important and valid government interests of reducing voter apathy, building confidence in government, reducing the reality and appearance of corruption, and encouraging qualified candidates to run for office, while reducing candidates' and officeholders' fundraising burdens.

§ 14-200-a. Definitions. For the purposes of this title, the following terms shall have the following meanings:

1. The term "authorized committee" shall mean the single political committee designated by a candidate pursuant to section 14-201 of this title to receive contributions and make expenditures in support of the candidate's campaign.

2. The term "board" shall mean the state board of elections.

3. The term "contribution" shall have the same meaning as appears in subdivision nine of section 14-100 of this article.

4. The term "contributor" shall mean any person or entity that makes a contribution.

5. The term "covered election" shall mean any primary, general, or special election for nomination for election, or election, to the office of governor, lieutenant governor, attorney general, state comptroller, state senator, or member of the assembly.

6. The term "election cycle" shall mean the two year period starting the day after the last general election for candidates for the state legislature and shall mean the four year period starting after the day after the last general election for candidates for statewide office.

7. The term "expenditure" shall mean any gift, subscription, advance, payment, or deposit of money or anything of value, or a contract to make any gift, subscription, payment, or deposit of money or anything of value, made in connection with the nomination for election, or election, of any candidate. Expenditures made by contract are deemed made when such funds are obligated.

8. The term "fund" shall mean the New York state campaign finance fund.

9. The term "immediate family" shall mean a spouse, domestic partner, child, sibling or parent.

10. The term "intermediary" shall mean an individual, corporation, partnership, political committee, employee organization or other entity which bundles, causes to be delivered or otherwise delivers any contribution from another person or entity to a candidate or authorized committee, other than in the regular course of business as a postal, delivery or messenger service. Provided, however, that an "intermediary" shall not include spouses, domestic partners, parents, children or siblings of the person making such contribution or a staff member or volunteer of the campaign identified in writing to the state board of elections. Here "causes to be delivered" shall include providing postage, envelopes or other shipping materials for the use of delivering the contribution to the ultimate recipient.

11. The term "item with significant intrinsic and enduring value" shall mean any item, including tickets to an event, that are valued at twenty-five dollars or more.

12. (a) The term "matchable contribution" shall mean a contribution, contributions or a portion of a contribution or contributions for any covered elections held in the same election cycle, made by a natural person who is a resident in the state of New York to a participating candidate, that has been reported in full to the board in accordance with sections 14-102 and 14-104 of this article by the candidate's authorized committee and has been contributed on or before the day of the applicable primary, general, runoff or special election. Any contribution, contributions, or a portion of a contribution determined to be invalid for matching funds by the board may not be treated as a matchable contribution for any purpose.

(b) The following contributions are not matchable:

(i) loans;

(ii) in-kind contributions of property, goods, or services;

(iii) contributions in the form of the purchase price paid for an item with significant intrinsic and enduring value;

(iv) transfers from a party or constituted committee;

(v) anonymous contributions or contributions whose source is not itemized as required by section 14-201 of this title;

(vi) contributions gathered during a previous election cycle;
(vii) illegal contributions;
(viii) contributions from minors;
(ix) contributions from vendors for campaigns; and
(x) contributions from lobbyists registered pursuant to subdivision (a) of section one-c of the legislative law.
13. The term "nonparticipating candidate" shall mean a candidate for a covered election who fails to file a written certification in the form of an affidavit under section 14-204 of this title by the applicable deadline.
14. The term "participating candidate" shall mean any candidate for nomination for election, or election, to the office of governor, lieutenant governor, attorney general, state comptroller, state senator, or member of the assembly, who files a written certification in the form of an affidavit pursuant to section 14-204 of this title by the applicable deadline.
15. The term "post-election period" shall mean the period following an election when a candidate is subject to an audit.
16. The term "qualified campaign expenditure" shall mean an expenditure for which public matching funds may be used.
17. The term "threshold for eligibility" shall mean the amount of matchable contributions that a candidate's authorized committee must receive in total in order for such candidate to qualify for voluntary public financing under this title.
18. The term "transfer" shall mean any exchange of funds between a party or constituted committee and a candidate or any of his or her authorized committees.
§ 14-201. Reporting requirements. 1. Political committee registration. Political committees as defined pursuant to subdivision one of section 14-100 of this article shall register with the board before making any contribution or expenditure. The board shall publish a cumulative list of political committees that have registered, including on its webpage, and regularly update it.
2. Only one authorized committee per candidate per elective office sought. Before receiving any contribution or making any expenditure for a covered election, each candidate shall notify the board as to the existence of his or her authorized committee that has been approved by such candidate. Each candidate shall have one and only one authorized committee per elective office sought. Each authorized committee shall have a treasurer and is subject to the restrictions found in section 14-112 of this article.
3. (a) Detailed reporting. In addition to each authorized and political committee reporting to the board every contribution and loan received and every expenditure made in the time and manner prescribed by sections 14-102, 14-104 and 14-108 of this article, each authorized and political committee shall also submit disclosure reports on March fifteenth and May fifteenth of each election year reporting to the board every contribution and loan received and every expenditure made. For contributors who make contributions of five hundred dollars or more, each authorized and political committee shall report to the board the occupation, and business address of each contributor, lender, and intermediary. The board shall revise, prepare and post forms on its webpage that facilitate compliance with the requirements of this section.
(b) Board review. The board shall review each disclosure report filed and shall inform authorized and political committees of relevant questions it has concerning: (i) compliance with requirements of this title

and of the rules issued by the board; and (ii) qualification for receiving public matching funds pursuant to this title. In the course of this review, it shall give authorized and political committees an opportunity to respond to and correct potential violations and give candidates an opportunity to address questions it has concerning their matchable contribution claims or other issues concerning eligibility for receiving public matching funds pursuant to this title. Nothing in this paragraph shall preclude the chief enforcement counsel from subsequently reviewing such disclosure reports and taking any action otherwise authorized under this title.

(c) Itemization. Contributions that are not itemized in reports filed with the board shall not be matchable.

(d) Option to file more frequently. Participating candidates may file reports of contributions as frequently as once a week on Monday so that their matching funds may be paid at the earliest allowable date.

§ 14-202. Contributions. Recipients of funds pursuant to this title shall be subject to the applicable contribution limits set forth in section 14-114 of this article.

§ 14-203. Proof of compliance. Authorized and political committees shall maintain such records of receipts and expenditures for a covered election as required by the board. Authorized and political committees shall obtain and furnish to the board any information it may request relating to financial transactions or contributions and furnish such documentation and other proof of compliance with this title as may be requested. In compliance with section 14-108 of this article, authorized and political committees shall maintain copies of such records for a period of five years.

§ 14-204. Eligibility. 1. Terms and conditions. To be eligible for voluntary public financing under this title, a candidate must:

(a) be a candidate in a covered election;

(b) meet all the requirements of law to have his or her name on the ballot;

(c) in the case of a covered general or special election, be opposed by another candidate on the ballot who is not a write-in candidate;

(d) submit a certification in the form of an affidavit, in such form as may be prescribed by the board, that sets forth his or her acceptance of and agreement to comply with the terms and conditions for the provision of such funds in each covered election and such certification shall be submitted at least four months before the election pursuant to a schedule promulgated by the board;

(e) be certified as a participating candidate by the board;

(f) not make, and not have made, expenditures from or use his or her personal funds or property or the personal funds or property jointly held with his or her spouse, or unemancipated children in connection with his or her nomination for election or election to a covered office, but may make a contribution to his or her authorized committee in an amount that does not exceed three times the applicable contribution limit from an individual contributor to candidates for the office that he or she is seeking;

(g) meet the threshold for eligibility set forth in subdivision two of this section;

(h) continue to abide by all requirements during the post-election period;

(i) agree not to expend for campaign purposes any portion of any pre-existing funds raised for any public office or party position prior to the first day of the election cycle for which the candidate seeks

certification. Nothing in this paragraph shall be construed to limit, in any way, any candidate or public official from expending any portion of pre-existing campaign funds for any lawful purpose other than those related to his or her campaign; and

(j) not have accepted contributions in amounts exceeding the contribution limits set forth for participating candidates in paragraphs a and b of subdivision one of section 14-114 of this article during the election cycle for which the candidate seeks certification;

(i) Provided however, that, if a candidate accepted contributions exceeding such limits before certification, such acceptance shall not prevent the candidate from being certified by the board if the candidate immediately pays to the fund or returns to the contributor the portion of any contribution that exceeded the applicable contribution limit.

(ii) If the candidate is unable to return such funds immediately because they have already been spent, acceptance of contributions exceeding the limits shall not prevent the candidate from being certified by the board if the candidate submits an affidavit agreeing to pay to the fund all portions of any contributions that exceeded the limit no later than thirty days before the general election. If a candidate provides the board with such an affidavit, any disbursement of public funds to the candidate made under section 14-206 of this title shall be reduced by no more than twenty-five percent until the total amount owed by the candidate is repaid.

(iii) Nothing in this section shall be interpreted to require a candidate who retains funds raised during a previous election cycle to forfeit such funds. Funds raised during a previous election cycle may be retained, but only if the candidate places the funds in escrow.

(iv) Contributions received and expenditures made by the candidate or an authorized committee of the candidate prior to the effective date of this title shall not constitute a violation of this title. Unexpended contributions shall be treated the same as campaign surpluses under subparagraph (iii) of this paragraph.

2. Threshold for eligibility. (a) The threshold for eligibility for public funding for participating candidates shall be in the case of:

(i) Governor, not less than six hundred fifty thousand dollars in matchable contributions including at least six thousand five hundred matchable contributions comprised of sums between ten and one hundred seventy-five dollars per contributor, from residents of New York state;

(ii) Lieutenant governor, attorney general, and comptroller, not less than two hundred thousand dollars in matchable contributions including at least two thousand matchable contributions comprised of sums between ten and one hundred seventy-five dollars per contributor, from residents of New York state;

(iii) State senator, not less than twenty thousand dollars in matchable contributions including at least two hundred matchable contributions comprised of sums between ten and one hundred seventy-five dollars per contributor, from residents of the district in which the seat is to be filled; and

(iv) Member of the assembly, not less than ten thousand dollars in matchable contributions including at least one hundred matchable contributions comprised of sums between ten and one hundred seventy-five dollars per contributor, from residents of the district in which the seat is to be filled.

(b) Any participating candidate meeting the threshold for eligibility in a primary election for one of the foregoing offices shall be deemed

to have met the threshold for eligibility for such office in any other subsequent election held in the same calendar year.

(c) The board shall adjust the dollar amount of each threshold for eligibility fixed in this section by the amount of the percentage difference in the consumer price index calculated and published by the board pursuant to paragraph e of subdivision one of section 14-114 of this article to the closest one hundred dollars. Not later than the first day of March in each such year, the board shall issue a regulation publishing the amount of each such threshold for eligibility. Each threshold for eligibility as so adjusted shall be the threshold for eligibility in effect from the beginning of the next election cycle until the beginning of the election cycle following the next adjustment, at which time the next adjustment shall take effect. This process shall be repeated for each adjustment thereafter. The one hundred seventy-five dollar maximum amount for the matchable contributions that funds raised must be comprised of to meet the thresholds for eligibility for candidates fixed in this section shall be adjusted by the amount of percentage difference to the closest one dollar by the board which, not later than the first day of March in each such year, shall issue a regulation publishing such maximum amounts. The one hundred seventy-five dollar maximum amounts as so adjusted shall be in effect from the beginning of the next election cycle until the beginning of the election cycle following the next adjustment, at which time the next adjustment shall take effect. This process shall be repeated for each adjustment thereafter.

§ 14-205. Limits on public financing. The following limitations apply to the total amounts of public funds that may be provided to a participating candidate's authorized committee for an election cycle:

1. In any primary election, receipt of public funds by participating candidates and by their participating committees shall not exceed:

(i) for governor, the sum of eight million dollars;

(ii) for lieutenant governor, comptroller or attorney general, the sum of four million dollars;

(iii) for senator, the sum of three hundred seventy-five thousand dollars;

(iv) for member of the assembly, the sum of one hundred seventy-five thousand dollars.

2. In any general or special election, receipt of public funds by a participating candidate's authorized committees shall not exceed the following amounts:

Candidates for election to the office of:	
Governor and lieutenant governor (combined)	$10,000,000
Attorney general	$4,000,000
Comptroller	$4,000,000
Member of senate	$375,000
Member of assembly	$175,000

3. No participating candidate for nomination for an office who is not opposed by a candidate on the ballot in a primary election shall be entitled to payment of public matching funds, except that, where there is a contest in such primary election for the nomination of at least one of the two political parties with the highest and second highest number of enrolled members for such office, a participating candidate who is unopposed in the primary election may receive public funds before the primary election, for expenses incurred on or before the date of such primary election, in an amount equal to up to half the sum set forth in paragraph one of this section.

4. Nothing in this section shall be construed to limit the amount of private funds a participating candidate may receive subject to the contribution limits for participating candidates contained in section 14-114 of this article.

5. The board shall adjust the amount of each public funds receipt limit fixed in this section by the amount of the percentage difference in the consumer price index calculated and published by the board pursuant to paragraph e of subdivision one of section 14-114 of this article to the closest one hundred dollars. Not later than the first day of March in each such year, the board shall issue a regulation publishing the amount of such limit. Each public fund receipt limit as so adjusted shall be the public funds receipt limit in effect from the beginning of the next election cycle until the beginning of the election cycle following the next adjustment, at which time the next adjustment shall take effect. This process shall be repeated for each adjustment thereafter.

§ 14-206. Payment of public matching funds. 1. Determination of eligibility. No public matching funds shall be paid to an authorized committee unless the board determines that the participating candidate has met the eligibility requirements of this title. Payment shall not exceed the amounts specified in subdivision two of this section, and shall be made only in accordance with the provisions of this title. Such payment may be made only to the participating candidate's authorized committee. No public matching funds shall be used except as reimbursement or payment for qualified campaign expenditures actually and lawfully incurred or to repay loans used to pay qualified campaign expenditures.

2. Calculation of payment. If the threshold for eligibility is met, the participating candidate's authorized committee shall receive payment for qualified campaign expenditures of six dollars of public matching funds for each one dollar of matchable contributions, for the first one hundred seventy-five dollars of eligible private funds per contributor, obtained and reported to the board in accordance with the provisions of this title. The maximum payment of public matching funds shall be limited to the amounts set forth in section 14-205 of this title for the covered election.

The board shall adjust the maximum dollar amount for matchable contributions fixed in this subdivision by the amount of the percentage difference in the consumer price index calculated by the board pursuant to paragraph e of subdivision one of section 14-114 of this article to the closest one dollar. Not later than the first day of March in each year the board makes the contribution limit adjustment pursuant to paragraph e of subdivision one of section 14-114 of this article, the board shall issue a regulation publishing the amount of each such maximum dollar amount. The maximum dollar amount as so adjusted shall be the maximum dollar amount in effect from the beginning of the next election cycle until the beginning of the election cycle following the next adjustment, at which time the next adjustment shall take effect. This process shall be repeated for each adjustment thereafter.

3. Timing of payment. The board shall make any payment of public matching funds to participating candidates as soon as is practicable. But in all cases, it shall verify eligibility for public matching funds within four days, excluding weekends and holidays, of receiving a campaign contribution report filed in compliance with section 14-104 of this article. Within two days of determining that a candidate for a covered office is eligible for public matching funds, it shall authorize payment of the applicable matching funds owed to the candidate. However,

it shall not make any payments of public money earlier than the earliest dates for making such payments as provided by this title. If any of such payments would require payment on a weekend or federal holiday, payment shall be made on the next business day.

4. Electronic funds transfer. The board shall, in consultation with the office of the comptroller, promulgate rules to facilitate electronic funds transfers directly from the campaign finance fund into an authorized committee's bank account.

5. Irregularly scheduled elections. Notwithstanding any other provision of this title, the board shall promulgate rules to provide for the prompt issuance of public matching funds to eligible participating candidates for qualified campaign expenditures in the case of any other covered election held on a day different from the day originally scheduled including special elections. But in all cases, the board shall (a) within four days, excluding weekends and holidays, of receiving a report of contributions from a candidate for a covered office claiming eligibility for public matching funds verify that candidate's eligibility for public matching funds; and (b) within two days of determining that the candidate for a covered office is eligible for public matching funds, it shall authorize payment of the applicable matching funds owed to the candidate.

§ 14-207. Use of public matching funds; qualified campaign expenditures. 1. Public matching funds provided under the provisions of this title may be used only by an authorized committee for expenditures to further the participating candidate's nomination for election or election, including paying for debts incurred within one year prior to an election to further the participating candidate's nomination for election or election.

2. Such public matching funds may not be used for:

(a) an expenditure in violation of any law;

(b) an expenditure in excess of the fair market value of services, materials, facilities or other things of value received in exchange;

(c) an expenditure made after the candidate has been finally disqualified from the ballot;

(d) an expenditure made after the only remaining opponent of the candidate has been finally disqualified from the general or special election ballot;

(e) an expenditure made by cash payment;

(f) a contribution or loan or transfer made to or expenditure to support another candidate or political committee or party committee or constituted committee;

(g) an expenditure to support or oppose a candidate for an office other than that which the participating candidate seeks;

(h) gifts, except brochures, buttons, signs and other printed campaign material;

(i) legal fees to defend against a criminal charge;

(j) payments to immediate family members of the participating candidate; or

(k) any expenditure made to challenge the validity of any petition of designation or nomination or any certificate of nomination, acceptance, authorization, declination or substitution.

§ 14-208. Powers and duties of the board. 1. Advisory opinions. The board shall render advisory opinions with respect to questions arising under this title upon the written request of a candidate, an officer of a political committee or member of the public, or upon its own initiative. The board shall promulgate rules regarding reasonable times to

respond to such requests. The board shall make public the questions of interpretation for which advisory opinions will be considered by the board and its advisory opinions, including by publication on its webpage with identifying information redacted as the board determines to be appropriate.

2. Public information and candidate education. The board shall develop a program for informing candidates and the public as to the purpose and effect of the provisions of this title, including by means of a webpage. The board shall prepare in plain language and make available educational materials, including compliance manuals and summaries and explanations of the purposes and provisions of this title. The board shall prepare or have prepared and make available materials, including, to the extent feasible, computer software, to facilitate the task of compliance with the disclosure and record-keeping requirements of this title.

3. Rules and regulations. The board shall have the authority to promulgate such rules and regulations and provide such forms as it deems necessary for the administration of this title.

4. Database. The board shall develop an interactive, searchable computer database that shall contain all information necessary for the proper administration of this title including information on contributions to and expenditures by candidates and their authorized committee, independent expenditures in support or opposition of candidates for covered offices, and distributions of moneys from the fund. Such database shall be accessible to the public on the board's webpage.

5. The board shall work with the chief enforcement counsel to enforce this section.

§ 14-209. Audits and repayments. 1. Audits. (a) The board shall audit and examine all matters relating to the proper administration of this title and shall complete such audit no later than one year after the election in question. This deadline shall not apply in cases involving potential campaign-related fraud, knowing and willful violations of article fourteen of this chapter, or criminal activity.

(b) Every participating candidate for statewide office who receives public funds under this title shall be audited by the board.

(c) Except as provided in paragraph (b) of this subdivision, the board shall select not more than fifty percent of all participating candidates in covered elections for audit through a lottery. A separate lottery shall be conducted for each office. The board shall select senate and assembly districts to be audited, auditing every participating candidate in each selected district, while ensuring that the number of audited candidates within those districts does not exceed fifty percent of all participating candidates for the relevant office. The lottery for senate and assembly elections shall be weighted to increase the likelihood that a district for the relevant office is audited based on how frequently it has not been selected for auditing during the past three election cycles. The board shall promulgate rules concerning the method of weighting the senate and assembly lotteries, including provisions for the first three election cycles for each office.

(d) The cost of complying with a post-election audit shall be borne by the candidate's authorized committee using public funds, private funds or any combination of such funds. Candidates who run in any primary or general election must maintain a reserve of three percent of the public funds received to comply with the post-election audit.

(e) The board shall issue to each campaign audited a final audit report that details its findings.

2. Repayments. (a) If the board determines that any portion of the payment made to a candidate's authorized committee from the fund was in excess of the aggregate amount of payments that such candidate was eligible to receive pursuant to this title, it shall notify such committee and such committee shall pay to the board an amount equal to the amount of excess payments. Provided, however, that if the erroneous payment was the result of an error by the board, then the erroneous payment will be deducted from any future payment, if any, and if no future payment is to be made then neither the candidate nor the committee shall be liable to repay the excess amount to the board. The candidate, the treasurer and the candidate's authorized committee are jointly and severally liable for any repayments to the board.

(b) If the board determines that any portion of the payment made to a candidate's authorized committee from the fund was used for purposes other than qualified campaign expenditures and such expenditures were not approved by the board, it shall notify such committee of the amount so disqualified and such committee shall pay to the board an amount equal to such disqualified amount. The candidate, the treasurer and the candidate's authorized committee are jointly and severally liable for any repayments to the board.

(c) If the total of payments from the fund received by a participating candidate and his or her authorized committee exceed the total campaign expenditures of such candidate and authorized committee for all covered elections held in the same calendar year or for a special election to fill a vacancy, such candidate and committee shall use such excess funds to reimburse the fund for payments received by such authorized committee from the fund during such calendar year or for such special election. Participating candidates shall pay to the board unspent public campaign funds from an election not later than twenty-seven days after all liabilities for the election have been paid and in any event, not later than the day on which the board issues its final audit report for the participating candidate's authorized committee; provided, however, that all unspent public campaign funds for a participating candidate shall be immediately due and payable to the board upon a determination by the board that the participant has delayed the post-election audit. A participating candidate may make post-election expenditures with public funds only for routine activities involving nominal cost associated with winding up a campaign and responding to the post-election audit. Nothing in this title shall be construed to prevent a candidate or his or her authorized committee from using campaign contributions received from private contributors for otherwise lawful expenditures.

3. Rules and regulations. The board shall promulgate regulations for the certification of the amount of funds payable by the comptroller, from the fund established pursuant to section ninety-two-t of the state finance law, to a participating candidate that has qualified to receive such payment. These regulations shall include the promulgation and distribution of forms on which contributions and expenditures are to be reported, the periods during which such reports must be filed and the verification required. The board shall institute procedures which will make possible payment by the fund within four business days after receipt of the required forms and verifications.

§ 14-210. Enforcement and penalties for violations and other proceedings. 1. Civil penalties. Violations of any provision of this title or rule promulgated pursuant to this title shall be subject to a civil penalty in an amount not in excess of fifteen thousand dollars.

2. Notice of violation and opportunity to contest. The board shall:

(a) determine whether a violation of any provision of this title or rule promulgated hereunder has been committed;

(b) give written notice and the opportunity to contest before an independent hearing officer to each person or entity it has reason to believe has committed a violation;

(c) if appropriate, assess penalties for violations, following such notice and opportunity to contest; and

(d) any formal or informal advisory opinion issued by a majority vote of the commissioners of the state board of elections to a participating candidate in connection with any action under this title, when relied upon in good faith, shall be presumptive evidence that such candidate or his or her committee did not knowingly or willfully violate the provisions of this title.

3. Criminal conduct. Any person who knowingly and willfully furnishes or submits false statements or information to the board in connection with its administration of this title, shall be guilty of a misdemeanor in addition to any other penalty as may be imposed under this chapter or pursuant to any other law. The chief enforcement counsel shall seek to recover any public matching funds obtained as a result of such criminal conduct.

4. Proceedings as to public financing. (a) The determination of eligibility pursuant to this title and any question or issue relating to payments for campaign expenditures pursuant to this title may be contested in a proceeding instituted in the Supreme court, Albany county, by any aggrieved candidate.

(b) A proceeding with respect to such a determination of eligibility or payment for qualified campaign expenditures pursuant to this chapter shall be instituted within fourteen days after such determination was made. The board shall be made a party to any such proceeding.

(c) Upon the board's failure to receive the amount due from a participating candidate or such candidate's authorized committee after the issuance of written notice of such amount due, as required by this title, the chief enforcement counsel is authorized to institute a special proceeding or civil action in Supreme Court, Albany county, to obtain a judgment for any amounts determined to be payable to the board as a result of an examination and audit made pursuant to this title or to obtain such amounts directly from the candidate or authorized committee after a hearing at the board.

(d) The chief enforcement counsel is authorized to institute a special proceeding or civil action in Supreme Court, Albany county, to obtain a judgment for civil penalties determined to be payable to the board pursuant to this title or to impose such penalty directly after a hearing at the board.

§ 14-211. Reports. The board shall review and evaluate the effect of this title upon the conduct of election campaigns and shall submit a report to the legislature on or before January first, two thousand twenty-one, and every third year thereafter, and at any other time upon the request of the governor and at such other times as the board deems appropriate. These reports shall include:

1. a list of the participating and nonparticipating candidates in covered elections and the votes received by each candidate in those elections;

2. the amount of contributions and loans received, and expenditures made, on behalf of these candidates;

3. the amount of public matching funds each participating candidate received, spent, and repaid pursuant to this title;

4. analysis of the effect of this title on political campaigns, including its effect on the sources and amounts of private financing, the level of campaign expenditures, voter participation, the number of candidates, the candidates' ability to campaign effectively for public office, and the diversity of candidates seeking and elected to office; and

5. recommendations for amendments to this title, including changes in contribution limits, thresholds for eligibility, and any other features of the system.

§ 14-212. Debates for candidates for statewide office. The board shall promulgate regulations to facilitate debates among participating candidates who seek election to statewide office. Participating candidates are required to participate in one debate before each election for which the candidate receives public funds, unless the participating candidate is running unopposed. Nonparticipating candidates may participate in such debates.

§ 14-213. Severability. If any clause, sentence, subdivision, paragraph, section or part of this title be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, subdivision, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 9. The state finance law is amended by adding a new section 92-t to read as follows:

§ 92-t. New York state campaign finance fund. 1. There is hereby established in the joint custody of the state comptroller and the commissioner of taxation and finance a fund to be known as the New York state campaign finance fund.

2. Such fund shall consist of all revenues received from the New York state campaign finance fund check-off pursuant to subsection (h) of section six hundred fifty-eight of the tax law, from the abandoned property fund pursuant to section ninety-five of this article, from the general fund, and from all other moneys credited or transferred thereto from any other fund or source pursuant to law. Such fund shall also receive contributions from private individuals, organizations, or other persons to fulfill the purposes of the public financing system.

3. Moneys of the fund, following appropriation by the legislature, may be expended for the purposes of making payments to candidates pursuant to title two of article fourteen of the election law and for administrative expenses related to the implementation of article fourteen of the election law. Moneys shall be paid out of the fund by the state comptroller on vouchers certified or approved by the state board of elections, or its duly designated representative, in the manner prescribed by law, not more than five working days after such voucher is received by the state comptroller.

4. Notwithstanding any provision of law to the contrary, if, in any state fiscal year, the state campaign finance fund lacks the amount of money to pay all claims vouchered by eligible candidates and certified or approved by the state board of elections, any such deficiency shall be paid by the state comptroller, from funds deposited in the general fund of the state not more than four working days after such voucher is received by the state comptroller.

5. Commencing in two thousand twenty, if the surplus in the fund on April first of the year after a year in which a governor is elected exceeds twenty-five percent of the disbursements from the fund over the

previous four years, the excess shall revert to the general fund of the state.

6. No public funds shall be paid to any participating candidates in a primary election any earlier than thirty days after designating petitions or certificates of nomination have been filed and not later than thirty days after such primary election.

7. No public funds shall be paid to any participating candidates in a general election any earlier than the day after the day of the primary election held to nominate candidates for such election.

8. No public funds shall be paid to any participating candidates in a special election any earlier than the day after the last day to file certificates of party nomination for such special election.

9. No public funds shall be paid to any participating candidate who has been disqualified or whose designating petitions have been declared invalid by the appropriate board of elections or a court of competent jurisdiction until and unless such finding is reversed by a higher court in a final judgment. No payment from the fund in the possession of such a candidate or such candidate's participating committee on the date of such disqualification or invalidation may thereafter be expended for any purpose except the payment of liabilities incurred before such date. All such moneys shall be repaid to the fund.

§ 10. Section 95 of the state finance law is amended by adding a new subdivision 5 to read as follows:

5. (a) As often as necessary, the co-chairs of the state board of elections shall certify the amount such co-chairs have determined necessary to fund estimated payments from the fund established by section ninety-two-t of this article for the primary, general or special election.

(b) Notwithstanding any provision of this section authorizing the transfer of any moneys in the abandoned property fund to the general fund, the comptroller, after receiving amounts sufficient to pay claims against the abandoned property fund, shall, based upon a certification of the state board of elections pursuant to paragraph (a) of this subdivision, and at the direction of the director of the budget, transfer the requested amount from remaining available monies in the abandoned property fund to the campaign finance fund established by section ninety-two-t of this article.

§ 11. Section 658 of the tax law is amended by adding a new subsection (h) to read as follows:

(h) New York state campaign finance fund check-off. (1) For each taxable year beginning on and after January first, two thousand nineteen, every resident taxpayer whose New York state income tax liability for the taxable year for which the return is filed is forty dollars or more may designate on such return that forty dollars be paid into the New York state campaign finance fund established by section ninety-two-t of the state finance law. Where a husband and wife file a joint return and have a New York state income tax liability for the taxable year for which the return is filed is eighty dollars or more, or file separate returns on a single form, each such taxpayer may make separate designations on such return of forty dollars to be paid into the New York state campaign finance fund.

(2) The commissioner shall transfer to the New York state campaign finance fund, established pursuant to section ninety-two-t of the state finance law, an amount equal to forty dollars multiplied by the number of designations.

(3) For purposes of this subsection, the income tax liability of an individual for any taxable year is the amount of tax imposed under this article reduced by the sum of the credits (as shown in his or her return) allowable under this article.

(4) The department shall include a place on every personal income tax return form to be filed by an individual for a tax year beginning on or after January first, two thousand nineteen, for such taxpayer to make the designations described in paragraph one of this subsection. Such return form shall contain a concise explanation of the purpose of such optional designations.

§ 12. Paragraph (a) of subdivision 9-A of section 3-102 of the election law, as amended by chapter 406 of the laws of 2005, is amended to read as follows:

9-A. (a) develop an electronic reporting system to process the statements of campaign receipts, contributions, transfers and expenditures required to be filed with any board of elections pursuant to the provisions of sections 14-102**,** [~~and~~] 14-104**, and 14-201** of this chapter;

§ 13. Severability. If any clause, sentence, subdivision, paragraph, section or part of title II of article 14 of the election law, as added by section three of this act be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, subdivision, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 14. This act shall take effect immediately; provided, however, all affected candidates will be eligible to participate in voluntary public financing beginning with the 2020 primary election.

PART C

Section 1. Short title. This act shall be known as and may be cited as the "Voter Enfranchisement Modernization Act of 2019 (VEMA)".

§ 2. Declaration of Legislative Intent. The right to vote is a fundamental right, the well-spring of all others, secured by the federal and state constitutions. On-line forms of communication and conducting transactions did not exist at the time New York's paper-based voter registration system was enacted. In the last twenty years, many paper-based processes have migrated to on-line processes, including filing tax returns, applying for social security benefits, routine banking transactions, official communications and purchase transactions of all types. This on-line migration has improved cost efficiency, increased accessibility and provided greater convenience to the public in many contexts. The predominantly paper-based voter registration application process in New York is antiquated and must be supplemented with on-line voter registration. To remove unnecessary burdens to the fundamental right of the people to vote, the State Board of Elections shall establish the Voter Enfranchisement Modernization Program for the purpose of increasing opportunities for voter registration by any person who is qualified to be a voter under Article II of the New York State Constitution. This effort modernizes voter registration and supplements the methods of voter registration provided under current law.

§ 3. Article 5 of the election law is amended by adding a new title 8 to read as follows:

TITLE VIII

ELECTRONIC PERSONAL VOTER REGISTRATION PROCESS

Section 5-800. Electronic voter registration transmittal system.
5-802. Online voter registration application.
5-804. Failure to provide exemplar signature not to prevent registration.

§ 5-800. Electronic voter registration transmittal system. In addition to any other means of voter registration provided for by this chapter, the state board of elections shall establish and maintain an electronic voter registration transmittal system through which applicants may apply to register to vote online. The state board of elections shall electronically transmit such applications to the applicable board of elections of each county or the city of New York for filing, processing and verification consistent with this chapter. In accordance with technical specifications provided by the state board of elections, each board of elections shall maintain a voter registration system capable of receiving and processing voter registration application information, including electronic signatures, from the electronic voter registration transmittal system established by the state board of elections. Notwithstanding any other inconsistent provision of this chapter, applications filed using such system shall be considered filed with the applicable board of elections on the calendar date the application is initially transmitted by the voter through the electronic voter registration transmittal system.

§ 5-802. Online voter registration application. 1. A voter shall be able to apply to register to vote using a personal online voter registration application submitted through the electronic voter registration transmittal system when the voter:

(a) completes an electronic voter registration application promulgated by the state board of elections which shall include all of the voter registration information required by section 5-210 of this article; and

(b) affirms, subject to penalty of perjury, by means of electronic or manual signature, that the information contained in the voter registration application is true and that the applicant meets all of the qualifications to become a registered voter; and

(c) consents to the use of an electronic copy of the individual's manual signature that is in the custody of the department of motor vehicles, the state board of elections, or other agency designated by sections 5-211 or 5-212 of this article, as the individual's voter registration exemplar signature, or provides such a signature by direct upload in a manner that complies with the New York state electronic signature and records act and the rules and regulations promulgated by the state board of elections.

2. The board of elections shall provide the personal online voter registration application in any language required by the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10503) in any county in the state.

3. The online voter registration application process shall provide reasonable accommodations to improve accessibility for persons with disabilities, and shall be compatible for use with standard online accessibility assistance tools for persons with visual, physical or perceptive disabilities.

4. The state board of elections shall promulgate rules and regulations for the creation and administration of an online voter registration system pursuant to this section.

§ 5-804. Failure to provide exemplar signature not to prevent registration. 1. If a voter registration exemplar signature is not provided by an applicant who submits a voter registration application pursuant to this title, the local board shall seek to obtain such exemplar signature

from the statewide voter registration database, the state board of elections, or a state or local agency designated by section 5-211 or 5-212 of this article.

2. If such exemplar signature is not available from the statewide voter registration database, the state board of elections, or a state or local agency designated by section 5-211 or 5-212 of this article, the local board of elections shall, absent another reason to reject the application, proceed to register and, as applicable, enroll the applicant. Within ten days of such action, the board of elections shall send a standard form promulgated by the state board of elections to the voter whose record lacks an exemplar signature, requiring such voter to submit a signature for identification purposes. The voter shall submit to the board of elections a voter registration exemplar signature by any one of the following methods: in person, by mail with return postage paid provided by the board of elections, by electronic mail, or by electronic upload to the board of elections through the electronic voter registration transmittal system. If such voter does not provide the required exemplar signature, when the voter appears to vote the voter shall be entitled to vote in the same manner as a voter with a notation indicating the voter's identity has not yet been verified in the manner provided by section 8-302 of this chapter.

§ 4. This act shall take effect on the earlier occurrence of: (i) two years after it shall have become a law; provided, however, the state board of elections shall be authorized to implement necessary rules and regulations and to take steps required to implement this act immediately; or (ii) five days after the date of certification by the state board of elections that the information technology infrastructure to substantially implement this act is functional. Provided, further that the state board of elections shall notify the legislative bill drafting commission upon the occurrence of the enactment of the legislation provided for in this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.

PART D

Section 1. Section 3-400 of the election law is amended by adding a new subdivision 9 to read as follows:

9. Notwithstanding any inconsistent provisions of this article, election inspectors or poll clerks, if any, at polling places for early voting, shall consist of either board of elections employees who shall be appointed by the commissioners of such board or duly qualified individuals, appointed in the manner set forth in this section. Appointments to the offices of election inspector or poll clerk in each polling place for early voting shall be equally divided between the major political parties. The board of elections shall assign staff and provide the resources they require to ensure wait times at early voting sites do not exceed thirty minutes.

§ 2. Section 4-117 of the election law is amended by addinga new subdivision 1-a to read as follows:

1-a. The notice required by subdivision one of this section shall include the dates, hours and locations of early voting for the general and primary election. The board of elections may satisfy the notice requirement of this subdivision by providing in the notice instructions

to obtain the required early voting information from a website of the board of elections and providing a phone number to call for such information.

§ 3. Subdivision 2 of section 8-100 of the election law, as amended by chapter 367 of the laws of 2017, is amended to read as follows:

2. Polls shall be open for voting during the following hours: a primary election from twelve o'clock noon until nine o'clock in the evening, except in the city of New York and the counties of Nassau, Suffolk, Westchester, Rockland, Orange, Putnam, Dutchess and Erie, and in such city or county from six o'clock in the morning until nine o'clock in the evening; the general election from six o'clock in the morning until nine o'clock in the evening; a special election called by the governor pursuant to the public officers law, and, except as otherwise provided by law, every other election, from six o'clock in the morning until nine o'clock in the evening; early voting hours shall be as provided in section 8-600 of this article.

§ 4. Subdivision 1 of section 8-102 of the election law is amended by adding a new paragraph (k) to read as follows:

(k) Voting at each polling place for early voting shall be conducted in a manner consistent with the provisions of this article, with the exception of the tabulation and proclamation of election results which shall be completed according to subdivisions eight and nine of section 8-600 of this article.

§ 5. Section 8-104 of the election law is amended by adding a new subdivision 7 to read as follows:

7. This section shall apply on all early voting days as provided for in section 8-600 of this article.

§ 6. Paragraph (b) of subdivision 2 of section 8-508 of the election law, as amended by chapter 200 of the laws of 1996, is amended to read as follows:

(b) The second section of such report shall be reserved for the board of inspectors to enter the name, address and registration serial number of each person who is challenged on the day of election or on any day in which there is early voting pursuant to section 8-600 of this article, together with the reason for the challenge. If no voters are challenged, the board of inspectors shall enter the words "No Challenges" across the space reserved for such names. In lieu of preparing section two of the challenge report, the board of elections may provide, next to the name of each voter on the computer generated registration list, a place for the inspectors of election to record the information required to be entered in such section two, or provide at the end of such computer generated registration list, a place for the inspectors of election to enter such information.

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

TITLE VI
EARLY VOTING

Section 8-600. Early voting.
8-602. State board of elections; powers and duties for early voting.

§ 8-600. Early voting. 1. Beginning the thirteenth day prior to any general, primary or special election for any public or party office, and ending on and including the second day prior to such general, primary or special election for such public or party office, persons duly registered and eligible to vote at such election shall be permitted to vote as provided in this title. The board of elections shall establish

procedures, which shall be consistent with this chapter and the regulations of the state board of elections, to ensure that persons who vote during the early voting period shall not be permitted to vote subsequently in the same election.

2. (a) The board of elections shall designate polling places for early voting in each county, which may include the offices of the board of elections, for persons to vote early pursuant to this section. There shall be so designated at least one early voting polling place for every full increment of fifty thousand registered voters in each county; provided, however, the number of early voting polling places in a county shall not be required to be greater than seven, and a county with fewer than fifty thousand voters shall have at least one early voting polling place.

(b) The board of elections may establish additional polling places for early voting in excess of the minimum number required by this subdivision for the convenience of eligible voters wishing to vote during the early voting period.

(c) Notwithstanding the minimum number of early voting poll sites otherwise required by this subdivision, for any primary or special election, upon majority vote of the board of elections, the number of early voting sites may be reduced if the board of elections reasonably determines a lesser number of sites is sufficient to meet the needs of early voters.

(d) Polling places for early voting shall be located to ensure, to the extent practicable, that eligible voters have equitable access to such polling places, taking into consideration population density, travel time to the polling place, proximity to other early voting polling places, commonly used transportation routes, public transportation, and such other factors the board of elections deems appropriate. The provisions of section 4-104 of this chapter, except subdivisions four and five of such section, shall apply to the designation of polling places for early voting except to the extent such provisions are inconsistent with this section.

3. Any person permitted to vote early may do so at any polling place for early voting established pursuant to subdivision two of this section in the county where such voter is registered to vote. Provided, however, (i) if it is impractical to provide each polling place for early voting all appropriate ballots for each election to be voted on in the county, or (ii) if permitting such persons to vote early at any polling place established for early voting would make it impractical to ensure that such voter has not previously voted early during such election, the board of elections may designate each polling place for early voting only for those voters registered to vote in a portion of the county to be served by such polling place for early voting, provided that all voters in each county shall have one or more polling places at which they are eligible to vote throughout the early voting period on a substantially equal basis.

4. (a) Polls shall be open for early voting for at least eight hours between seven o'clock in the morning and eight o'clock in the evening each week day during the early voting period.

(b) At least one polling place for early voting shall remain open until eight o'clock in the evening on at least two week days in each calendar week during the early voting period. If polling places for early voting are limited to voters from certain areas pursuant to subdivision three of this section, polling places that remain open until eight o'clock shall be designated such that any person entitled to vote

early may vote until eight o'clock in the evening on at least two week days during the early voting period.

(c) Polls shall be open for early voting for at least five hours between nine o'clock in the morning and six o'clock in the evening on each Saturday, Sunday and legal holiday during the early voting period.

(d) Nothing in this section shall be construed to prohibit any board of elections from establishing a greater number of hours for voting during the early voting period beyond the number of hours required in this subdivision.

(e) Early voting polling places and their hours of operation for early voting at a general election shall be designated pursuant to subdivision one of section 4-104 of this chapter. Notwithstanding the provisions of subdivision one of section 4-104 of this chapter requiring poll site designation by May first, early voting polling places and their hours of operation for early voting for a primary or special election shall be made not later than forty-five days before such primary or special election.

5. Each board of elections shall create a communication plan to inform eligible voters of the opportunity to vote early. Such plan may utilize any and all media outlets, including social media, and shall publicize: the location and dates and hours of operation of all polling places for early voting; an indication of whether each polling place is accessible to voters with physical disabilities; a clear and unambiguous notice to voters that if they cast a ballot during the early voting period they will not be allowed to vote election day; and if polling places for early voting are limited to voters from certain areas pursuant to subdivision three of this section, the location of the polling places for early voting serving the voters of each particular city, town or other political subdivision.

6. The form of paper ballots used in early voting shall comply with the provisions of article seven of this chapter that are applicable to voting by paper ballot on election day and such ballot shall be cast in the same manner as provided for in section 8-312 of this article, provided, however, that ballots cast during the early voting period shall be secured in the manner of voted ballots cast on election day and such ballots shall not be canvassed or examined until after the close of the polls on election day, and no unofficial tabulations of election results shall be printed or viewed in any manner until after the close of polls on election day.

7. Voters casting ballots pursuant to this title shall be subject to challenge as provided in sections 8-500, 8-502 and 8-504 of this article.

8. Notwithstanding any other provisions of this chapter, at the end of each day of early voting, any early voting ballots that have not been scanned because a ballot scanner was not available or because the ballot has been abandoned by the voter at the ballot scanner shall be cast in a manner consistent with section 9-110 of this chapter, except that any ballots that would otherwise be scanned at the close of the polls pursuant to such section shall be scanned at the close of each day's early voting.

9. The board of elections shall secure all ballots and scanners used for early voting from the beginning of the early voting period through the close of the polls of the election on election day. As soon as the polls of the election are closed on election day, and not before, inspectors or board of elections employees shall follow all relevant provisions of article nine of this chapter that are not inconsistent

with this section, for canvassing, processing, recording, and announcing results of voting at polling places for early voting, and securing ballots, scanners, and other election materials.

10. This title shall not apply to village elections conducted pursuant to article fifteen and title two of article six of this chapter.

§ 8-602. State board of elections; powers and duties for early voting. Any rule or regulation necessary for the implementation of the provisions of this title shall be promulgated by the state board of elections provided that such rules and regulations shall include provisions to ensure that ballots cast early, by any method allowed under law, are counted and canvassed as if cast on election day. The state board of elections shall promulgate any other rules and regulations necessary to ensure an efficient and fair early voting process that respects the privacy of the voter. Provided, further, that such rules and regulations shall require that the voting history record for each voter be continually updated to reflect each instance of early voting by such voter.

§ 8. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall apply to any election held 120 days or more after it shall have taken effect.

PART E

Section 1. This part enacts into law major components of legislation relating to elections. Each component is wholly contained within a Subpart identified as Subparts A through B. The effective date for each particular provision contained within such Subpart is set forth in the last section of such Subpart. Any provision in any section contained within a Subpart, including the effective date of the Subpart, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Subpart in which it is found. Section three of this part sets forth the general effective date of this part.

SUBPART A

Section 1. Subdivision 1 of section 1-106 of the election law, as amended by chapter 700 of the laws of 1977, is amended to read as follows:

1. All papers required to be filed pursuant to the provisions of this chapter shall, unless otherwise provided, be filed between the hours of nine A.M. and five P.M. If the last day for filing shall fall on a Saturday, Sunday or legal holiday, the next business day shall become the last day for filing. All papers sent by mail in an envelope postmarked prior to midnight of the last day of filing shall be deemed timely filed and accepted for filing when received, except that all certificates and petitions of designation or nomination, certificates of acceptance or declination of such designations or nominations, certificates of authorization for such designations or nominations, certificates of disqualification, certificates of substitution for such designations or nominations and objections and specifications of objections to such certificates and petitions required to be filed with the state board of elections or a board of elections outside of the city of New York shall be deemed timely filed and accepted for filing if sent by mail or overnight delivery service pursuant to subdivision three of this section, and received no later than two business days after the last day

to file such certificates, petitions, objections or specifications. Failure of the post office or any other person or entity to deliver any such petition, certificate or objection to such board of elections outside the city of New York no later than two business days after the last day to file such certificates, petitions, objections or specifications shall be a fatal defect. Excepted further that all certificates and petitions of designation or nomination, certificates of acceptance or declination of such designations and nominations, certificates of substitution for such designations or nominations and objections and specifications of objections to such certificates and petitions required to be filed with the board of elections of the city of New York must be actually received by such city board of elections on or before the last day to file any such petition, certificate or objection and such office shall be open for the receipt of such petitions, certificates and objections until midnight on the last day to file any such petition, certificate or objection. Failure of the post office or any other person or entity to deliver any such petition, certificate or objection to such city board of elections on or before such last day shall be a fatal defect.

§ 2. Subdivision 1 of section 4-104 of the election law, as amended by chapter 180 of the laws of 2005, is amended to read as follows:

1. Every board of elections shall, in consultation with each city, town and village, designate the polling places in each election district in which the meetings for the registration of voters, and for any election may be held. The board of trustees of each village in which general and special village elections conducted by the board of elections are held at a time other than the time of a general election shall submit such a list of polling places for such village elections to the board of elections. A polling place may be located in a building owned by a religious organization or used by it as a place of worship. If such a building is designated as a polling place, it shall not be required to be open for voter registration on any Saturday if this is contrary to the religious beliefs of the religious organization. In such a situation, the board of elections shall designate an alternate location to be used for voter registration. Such polling places must be designated by [~~May first~~] March fifteenth, of each year, and shall be effective for one year thereafter. Such a list required to be submitted by a village board of trustees must be submitted at least four months before each general village election and shall be effective until four months before the subsequent general village election. No place in which a business licensed to sell alcoholic beverages for on premises consumption is conducted on any day of local registration or of voting shall be so designated. If, within the discretion of the board of elections a particular polling place so designated is subsequently found to be unsuitable or unsafe or should circumstances arise that make a designated polling place unsuitable or unsafe, then the board of elections is empowered to select an alternative meeting place. In the city of New York, the board of elections shall designate such polling places and alternate registration places if the polling place cannot be used for voter registration on Saturdays.

§ 3. Subdivisions 1 and 2 of section 4-106 of the election law, subdivision 2 as amended by chapter 635 of the laws of 1990, are amended to read as follows:

1. The state board of elections shall, [~~at least eight months before each~~] by February first in the year of each general election, make and transmit to the board of elections of each county, a certificate stating

each office, except county, city, village and town offices to be voted for at such election in such county.

2. Each county, city, village and town clerk, [~~at least eight months before each~~] **by February first in the year of each** general election, shall make and transmit to the board of elections a certificate stating each county, city, village or town office, respectively to be voted for at each such election. Each village clerk, at least five months before each general village election conducted by the board of elections, shall make, and transmit to such board, a certificate stating each village office to be filled at such election.

§ 4. Paragraph b of subdivision 1 of section 4-108 of the election law, as amended by chapter 117 of the laws of 1985, is amended to read as follows:

b. Whenever any proposal, proposition or referendum as provided by law is to be submitted to a vote of the people of a county, city, town, village or special district, at an election conducted by the board of elections, the clerk of such political subdivision, at least [~~thirty-six days~~] **three months** prior to the **general** election at which such proposal, proposition or referendum is to be submitted, shall transmit to each board of elections a certified copy of the text of such proposal, proposition or referendum and a statement of the form in which it is to be submitted. If a special election is to be held, such transmittal shall also give the date of such election.

§ 5. Section 4-110 of the election law, as amended by chapter 434 of the laws of 1984, is amended to read as follows:

§ 4-110. Certification of primary election candidates; state board of elections. The state board of elections**,** not later than [~~thirty-six~~] **fifty-five** days before a primary election, shall certify to each county board of elections: The name and residence of each candidate to be voted for within the political subdivision of such board for whom a designation has been filed with the state board; the title of the office or position for which the candidate is designated; the name of the party upon whose primary ballot his **or her** name is to be placed; and the order in which the names of the candidates are to be printed as determined by the state board. Where an office or position is uncontested, such certification shall state such fact.

§ 6. Subdivision 1 of section 4-112 of the election law, as amended by chapter 4 of the laws of 2011, is amended to read as follows:

1. The state board of elections**,** not later than [~~thirty-six~~] **fifty-five** days before a general election, or fifty-three days before a special election, shall certify to each county board of elections the name and residence of each candidate nominated in any valid certificate filed with it or by the returns canvassed by it, the title of the office for which nominated; the name of the party or body specified of which he **or she** is a candidate; the emblem chosen to distinguish the candidates of the party or body; and a notation as to whether or not any litigation is pending concerning the candidacy. Upon the completion of any such litigation, the state board of elections shall forthwith notify the appropriate county boards of elections of the results of such litigation.

§ 7. Section 4-114 of the election law, as amended by chapter 4 of the laws of 2011, is amended to read as follows:

§ 4-114. Determination of candidates and questions; county board of elections. The county board of elections, not later than the [~~thirty-fifth~~] **fifty-fourth** day before the day of a primary or general election, or the fifty-third day before a special election, shall determine the

candidates duly nominated for public office and the questions that shall appear on the ballot within the jurisdiction of that board of elections.

§ 8. Subdivision 1 of section 4-117 of the election law, as amended by chapter 3 of the laws of 2018, is amended to read as follows:

1. The board of elections,[~~between August first and August fifth of each year~~] **not less than sixty-five days nor more than seventy days before the primary election in each year**, shall send by mail on which is endorsed such language designated by the state board of elections to ensure postal authorities do not forward such mail but return it to the board of elections with forwarding information, when it cannot be delivered as addressed and which contains a request that any such mail received for persons not residing at the address be dropped back in the mail, a communication, in a form approved by the state board of elections, to every registered voter who has been registered without a change of address since the beginning of such year, except that the board of elections shall not be required to send such communications to voters in inactive status. The communication shall notify the voter of the days and hours of the ensuing primary and general elections, the place where he **or she** appears by his **or her** registration records to be entitled to vote, the fact that voters who have moved or will have moved from the address where they were last registered must re-register or, that if such move was to another address in the same county or city, that such voter may either notify the board of elections of his **or her** new address or vote by paper ballot at the polling place for his **or her** new address even if such voter has not re-registered, or otherwise notified the board of elections of the change of address. If the primary will not be held on the first Tuesday after the second Monday in September, the communication shall contain a conspicuous notice in all capital letters and bold font notifying the voter of the primary date. If the location of the polling place for the voter's election district has been moved, the communication shall contain the following legend in bold type: "YOUR POLLING PLACE HAS BEEN CHANGED. YOU NOW VOTE AT.....". The communication shall also indicate whether the polling place is accessible to physically disabled voters, that a voter who will be out of the city or county on the day of the primary or general election or a voter who is ill or physically disabled may obtain an absentee ballot, that a physically disabled voter whose polling place is not accessible may request that his registration record be moved to an election district which has a polling place which is accessible, the phone number to call for applications to move a registration record or for absentee ballot applications, the phone number to call for the location of registration and polling places, the phone number to call to indicate that the voter is willing to serve on election day as an election inspector, poll clerk, interpreter or in other capacities, the phone number to call to obtain an application for registration by mail, and such other information concerning the elections or registration as the board may include. In lieu of sending such communication to every registered voter, the board of elections may send a single communication to a household containing more than one registered voter, provided that the names of all such voters appear as part of the address on such communication.

§ 9. Subdivision 1 of section 5-604 of the election law, as amended by chapter 28 of the laws of 2010, is amended to read as follows:

1. The board of elections shall also cause to be published for each election district a complete list of the registered voters of each election district. Such list shall, in addition to the information

required for registration lists, include the party enrollment of each voter. At least as many copies of such list shall be prepared as the required minimum number of registration lists.

Lists for all the election districts in a ward or assembly district may be bound together in one volume. The board of elections shall also cause to be published a complete list of names and residence addresses of the registered voters, including the party enrollment of each voter, for each town and city over which the board has jurisdiction. The names for each town and city may be arranged according to street and number or alphabetically. Such lists shall be published before the first day of [~~April~~] **February**. The board shall keep at least five copies for public inspection at each main office or branch office of the board. Surplus copies of the lists shall be sold at a charge not exceeding the cost of publication.

§ 10. Paragraph a of subdivision 5 of section 5-708 of the election law, as added by chapter 659 of the laws of 1994, is amended to read as follows:

a. At least once each year during the month of [~~May~~] **February**, each board of elections shall obtain through the National Change of Address System, the forwarding address for every voter registered with such board of elections for whom the United States Postal Service has such a forwarding address together with the name of each such voter whom the Postal Service records indicate has moved from the address at which he is registered without leaving a forwarding address.

§ 11. Subdivision 1 of section 6-108 of the election law, as amended by chapter 160 of the laws of 1996, is amended to read as follows:

1. In any town in a county having a population of over seven hundred fifty thousand inhabitants, as shown by the latest federal decennial or special population census, party nominations of candidates for town offices shall be made at the primary preceding the election. In any other town, nominations of candidates for town offices shall be made by caucus or primary election as the rules of the county committee shall provide, except that the members of the county committee from a town may adopt by a two-thirds vote, a rule providing that the party candidates for town offices shall be nominated at the primary election. If a rule adopted by the county committee of a political party or by the members of the county committee from a town, provides that party candidates for town offices, shall be nominated at a primary election, such rule shall not apply to nor affect a primary held less than four months after a certified copy of the rule shall have been filed with the board of elections. After the filing of such a rule, the rule shall continue in force until a certified copy of a rule revoking the same shall have been filed with such board at least four months before a subsequent primary. Such a caucus shall be held no earlier than the first day on which designating petitions for the [~~fall~~] primary election may be signed.

§ 12. Subdivisions 1 and 2 of section 6-147 of the election law, as amended by chapter 434 of the laws of 1984, are amended to read as follows:

1. The name of a person designated on more than one petition as a candidate for a party position to be filled by two or more persons shall be printed on the ballot with the group of candidates designated by the petition first filed unless such person, in a certificate duly acknowledged by him **or her** and filed with the board of elections not later than the [~~eighth~~] **tenth** Tuesday preceding the primary election or five days after the board of elections mails such person notice of his **or her**

designation in more than one group, whichever is later, specifies another group in which his **or her** name shall be printed.

2. A person designated as a candidate for the position of member of the county committee in more than one election district shall be deemed to have been designated in the lowest numbered election district unless such person, in a certificate duly acknowledged by him **or her**, and filed with the board of elections not later than the [~~eighth~~] **tenth** Tuesday preceding the primary election or five days after the board of elections mails such person notice of his **or her** designation in more than one election district whichever is later, specifies that he **or she** wishes to be deemed designated in a different election district.

§ 13. Subdivisions 1, 4, 5, 6, 9, 11, 12 and 14 of section 6-158 of the election law, subdivisions 1, 4, 11 and 12 as amended by chapter 434 of the laws of 1984, subdivision 6 as amended by chapter 79 of the laws of 1992, and subdivision 9 as amended by chapter 517 of the laws of 1986, are amended to read as follows:

1. A designating petition shall be filed not earlier than the [~~tenth~~] **thirteenth** Monday before, and not later than the [~~ninth~~] **twelfth** Thursday preceding the primary election.

4. A petition of enrolled members of a party requesting an opportunity to write in the name of an undesignated candidate for a public office or party position at a primary election shall be filed not later than the [~~eighth~~] **eleventh** Thursday preceding the primary election. However, where a designating petition has been filed and the person named therein has declined such designation and another person has been designated to fill the vacancy, then in that event, a petition for an opportunity to ballot in a primary election shall be filed not later than the [~~seventh~~] **tenth** Thursday preceding such primary election.

5. A judicial district convention shall be held not earlier than the [~~Tuesday~~] **Thursday** following the [~~third Monday in September~~] **first Monday in August** preceding the general election and not later than [~~the fourth Monday in September preceding such election~~] **six days thereafter**.

6. **(a)** A certificate of a party nomination made other than at the primary election for an office to be filled at the time of a general election shall be filed not later than [~~seven~~] **thirty** days after the [~~fall~~] primary election, **(b)** except that a certificate of nomination for an office which becomes vacant after the seventh day preceding such primary election shall be filed not later than [~~fourteen~~] **thirty days after the primary election or ten** days after the creation of such vacancy**, whichever is later,** and **(c)** except, further, that a certificate of party nomination of candidates for elector of president and vice-president of the United States shall be filed not later than [~~fourteen~~] **seventy-four** days after the [~~fall~~] primary election, and **(d)** except still further that a certificate of party nomination made at a judicial district convention shall be filed not later than the day after the last day to hold such convention and the minutes of such convention, duly certified by the chairman and secretary, shall be filed within seventy-two hours after adjournment of the convention. A certificate of party nomination for an office to be filled at a special election shall be filed not later than ten days following the issuance of a proclamation of such election.

9. A petition for an independent nomination for an office to be filled at the time of a general election shall be filed not earlier than [~~twelve~~] **twenty-four** weeks and not later than [~~eleven~~] **twenty-three** weeks preceding such election. A petition for an independent nomination for an office to be filled at a special election shall be filed not

later than twelve days following the issuance of a proclamation of such election. [~~A petition for trustee of the Long Island Power Authority shall be filed not earlier than seven weeks and not later than six weeks preceding the day of the election of such trustees.~~]

11. A certificate of acceptance or declination of an independent nomination for an office to be filled at the time of a general election shall be filed not later than the third day after the [~~eleventh~~] **twenty-third** Tuesday preceding such election except that a candidate who files such a certificate of acceptance for an office for which there have been filed certificates or petitions designating more than one candidate for the nomination of any party, may thereafter file a certificate of declination not later than the third day after the primary election. A certificate of acceptance or declination of an independent nomination for an office to be filled at a special election shall be filed not later than fourteen days following the issuance of a proclamation of such election.

12. A certificate to fill a vacancy caused by a declination of an independent nomination for an office to be filled at the time of a general election shall be filed not later than the sixth day after the [~~eleventh~~] **twenty-third** Tuesday preceding such election. A certificate to fill a vacancy caused by a declination of an independent nomination for an office to be filled at a special election shall be filed not later than sixteen days following the issuance of a proclamation of such election.

14. A vacancy occurring **three months or more** before [~~September twentieth of~~] **the general election in** any year in any office authorized to be filled at a general election, except in the offices of governor, lieutenant-governor, or United States senator shall be filled at the general election held next thereafter, unless otherwise provided by the constitution, or unless previously filled at a special election.

§ 14. Paragraph (a) of subdivision 1 of section 8-100 of the election law, as amended by chapter 17 of the laws of 2007, is amended to read as follows:

(a) A primary election[~~, to be known as the fall primary,~~] shall be held on the [~~first~~] **fourth** Tuesday [~~after the second Monday~~] in [~~September~~] **June** before every general election unless otherwise changed by an act of the legislature. **Members of the state and county committees and assembly district leaders and associate district leaders and all other party positions to be elected shall be elected at such primary and all nominations for public office required to be made at a primary election in such year shall be made at such primary.** In each year in which electors of president and vice president of the United States are to be elected an additional primary election, to be known as the spring primary, shall be held on the first Tuesday in February unless otherwise changed by an act of the legislature, for the purpose of electing delegates to the national convention[~~, members of state and county committees and assembly district leaders and associate assembly district leaders~~].

§ 15. Subdivision 1 of section 9-200 of the election law, as amended by chapter 250 of the laws of 1984, is amended to read as follows:

1. The board of elections shall canvass the returns of primary elections filed with it. It shall canvass first the votes of the delegates and alternates to judicial district conventions and complete such canvass at the earliest time possible. It shall complete the canvass otherwise within [~~nine~~] **thirteen** days from the day upon which the primary election is held. Upon the completion of the canvass the board shall make and file in its office tabulated statements, signed by the members

of such board or a majority thereof, of the number of votes cast for all the candidates for nomination to each public office or for election to each party position, and the number of votes cast for each such candidate. The candidate receiving the highest number of votes for nomination for a public office or for election to a party position voted for wholly within the political unit for which such board is acting, shall be the nominee of his party for such office or elected to such party position and the board, if requested by a candidate elected to a party position, shall furnish to him a certificate of election.

§ 16. Subdivision 1 of section 9-208 of the election law, as amended by chapter 163 of the laws of 2010, is amended to read as follows:

1. Within fifteen days after each general[~~,~~] **or** special [~~or~~] **election, and within twenty days after a** primary election, and within seven days after every village election conducted by the board of elections at which ballot scanners are used, the board of elections, or a bipartisan committee of or appointed by said board shall, in each county using ballot scanners, make a record of the serial number of each ballot scanner used in each election district in such general, special or primary election. No person who was a candidate at such election shall be appointed to membership on the committee. Such board of elections or bipartisan committee shall recanvass the tabulated result tape from each ballot scanner used in each election district by comparing such tape with the numbers as recorded on the return of canvass. The said board or committee shall also make a recanvass of any election day paper ballots that have not been scanned and were hand counted pursuant to subdivision two of section 9-110 of this article and compare the results with the number as recorded on the return of canvass. The board or committee shall then recanvass write-in votes, if any, on ballots which were otherwise scanned and canvassed at polling places on election night. The board or committee shall validate and prove such sums. Before making such canvass the board of elections, with respect to each election district to be recanvassed, shall give notice in writing to the voting machine custodian thereof, to the state and county chair of each party or independent body which shall have nominated candidates for the said general or special election or nominated or elected candidates at the said primary election and to each individual candidate whose name appears on the office ballot, of the time and place where such canvass is to be made; and the state and county chair of each such party or independent body and each such individual candidate may send a representative to be present at such recanvass. Each candidate whose name appears on the official ballot, or his or her representative, shall have the right personally to examine and make a record of the vote recorded on the tabulated result tape and any ballots which were hand counted.

§ 17. Subdivision 1 of section 9-211 of the election law, as amended by chapter 515 of the laws of 2015, is amended to read as follows:

1. Within fifteen days after each general or special election, [~~and~~] within [~~seven~~] **thirteen** days after every primary [~~or~~] **election, and within seven days after every** village election conducted by the board of elections, the board of elections or a bipartisan committee appointed by such board shall audit the voter verifiable audit records from three percent of voting machines or systems within the jurisdiction of such board. Such audits may be performed manually or via the use of any automated tool authorized for such use by the state board of elections which is independent from the voting system it is being used to audit. Voting machines or systems shall be selected for audit through a random, manual process. At least five days prior to the time fixed for such selection

process, the board of elections shall send notice by first class mail to each candidate, political party and independent body entitled to have had watchers present at the polls in any election district in such board's jurisdiction. Such notice shall state the time and place fixed for such random selection process. The audit shall be conducted in the same manner, to the extent applicable, as a canvass of paper ballots. Each candidate, political party or independent body entitled to appoint watchers to attend at a polling place shall be entitled to appoint such number of watchers to observe the audit.

§ 18. Paragraph (a) of subdivision 1 of section 10-108 of the election law, as amended by chapter 4 of the laws of 2011, is amended to read as follows:

(a) Ballots for military voters shall be mailed or otherwise distributed by the board of elections, in accordance with the preferred method of transmission designated by the voter pursuant to section 10-107 of this article, as soon as practicable but in any event not later than [~~thirty-two~~] forty-six days before a primary or general election[~~; twenty-five days before~~] a New York city community school board district or city of Buffalo school district election; fourteen days before a village election conducted by the board of elections; and forty-five days before a special election. A voter who submits a military ballot application shall be entitled to a military ballot thereafter for each subsequent election through and including the next two regularly scheduled general elections held in even numbered years, including any run-offs which may occur; provided, however, such application shall not be valid for any election held within seven days after its receipt. Ballots shall also be mailed to any qualified military voter who is already registered and who requests such military ballot from such board of elections in a letter, which is signed by the voter and received by the board of elections not later than the seventh day before the election for which the ballot is requested and which states the address where the voter is registered and the address to which the ballot is to be mailed. The board of elections shall enclose with such ballot a form of application for military ballot. In the case of a primary election, the board shall deliver only the ballot of the party with which the military voter is enrolled according to the military voter's registration records. In the event a primary election is uncontested in the military voter's election district for all offices or positions except the party position of member of the ward, town, city or county committee, no ballot shall be delivered to such military voter for such election; and the military voter shall be advised of the reason why he or she will not receive a ballot.

§ 19. Subdivision 4 of section 11-204 of the election law, as amended by chapter 4 of the laws of 2011, is amended to read as follows:

4. If the board of elections shall determine that the applicant making the application provided for in this section is qualified to receive and vote a special federal ballot, it shall, as soon as practicable after it shall have so determined, or not later than [~~thirty-two~~] forty-six days before each general or primary election [~~and forty-five days before each~~] or special election in which such applicant is qualified to vote, or three days after receipt of such an application, whichever is later, mail to him or her at the residence address outside the United States shown in his or her application, a special federal ballot, an inner affirmation envelope and an outer envelope, or otherwise distribute same to the voter in accordance with the preferred method of transmission designated by the voter pursuant to section 11-203 of this title. The

board of elections shall also mail, or otherwise distribute in accordance with the preferred method of transmission designated by the voter pursuant to section 11-203 of this title, a special federal ballot to every qualified special federal voter who is already registered and who requests such special federal ballot from such board of elections in a letter, which is signed by the voter and received by the board of elections not later than the seventh day before the election for which the ballot is first requested and which states the address where the voter is registered and the address to which the ballot is to be mailed. The board of elections shall enclose with such ballot a form of application for a special federal ballot.

§ 20. Subdivision 4 of section 16-102 of the election law, as added by chapter 135 of the laws of 1986, is amended to read as follows:

4. A final order **including the resolution of any appeals** in any proceeding involving the names of candidates on ballots or voting machines shall be made, if possible, at least five weeks before the day of the election at which such ballots or voting machines are to be used, or if such proceeding is commenced within five weeks of such election, no later than the day following the day on which the case is heard.

§ 21. Subdivisions 3 and 4 of section 16-104 of the election law, subdivision 3 as added by chapter 136 of the laws of 1978 and subdivision 4 as amended by chapter 117 of the laws of 1985, are amended to read as follows:

3. A proceeding pursuant to subdivision two of this section must be instituted within [~~fourteen~~] **seven** days after the last day to certify the wording of any such abstract or form of submission.

4. A final order **including the resolution of any appeals** in any proceeding involving the contents of official ballots on voting machines shall be made, if possible, at least five weeks before the day of the election at which such voting machines are to be used, or if such proceeding is commenced within five weeks of an election, no later than the day following the day on which the case is heard.

§ 22. Subdivisions 1 and 4 of section 42 of the public officers law, subdivision 1 as amended by chapter 878 of the laws of 1946 and subdivision 4 as amended by chapter 317 of the laws of 1954, are amended to read as follows:

1. A vacancy occurring **three months or more** before [~~September twentieth of~~] **the general election in** any year in any office authorized to be filled at a general election, except in the offices of governor or lieutenant-governor, shall be filled at the general election held next thereafter, unless otherwise provided by the constitution, or unless previously filled at a special election.

4. A special election shall not be held to fill a vacancy in the office of a representative in congress unless such vacancy occurs on or before the first day of July of the last year of the term of office, or unless it occurs thereafter and a special session of congress is called to meet before the next general election, or be called after [~~September nineteenth of~~] **three months before the general election in** such year; nor to fill a vacancy in the office of state senator or in the office of member of assembly, unless the vacancy occurs before the first day of April of the last year of the term of office, or unless the vacancy occurs in either such office of senator or member of assembly after such first day of April and a special session of the legislature be called to meet between such first day of April and **the next general election or be called after three months before** the next general election [~~or be called after September nineteenth~~] in such year. If a special election to fill

an office shall not be held as required by law, the office shall be filled at the next general election.

§ 23. This act shall take effect December 31, 2019.

SUBPART B

Section 1. Section 6-150 of the election law is amended to read as follows:

§ 6-150. Nomination; vacancy caused by death or disqualification, unfilled at time of general or special election. If a vacancy shall occur in a nomination, caused by disqualification or death of the candidate subsequent to [~~noon of the Tuesday~~] thirty days before a general or special election and prior to the closing of the polls on such election day, such vacancy shall not be filled, and the votes cast for such [~~deceased~~] candidate shall be canvassed and counted, and if he or she shall receive a plurality of the votes cast, a vacancy shall exist in the office for which such nomination was made to be filled in the manner provided by law for vacancies in office occurring by reason of death after election.

§ 2. Section 6-152 of the election law, as amended by chapter 234 of the laws of 1976, is amended to read as follows:

§ 6-152. Vacancies caused by death or disqualification and unfilled at time of primary election. If a vacancy shall occur in a designation of a candidate for nomination or election at a primary election, caused by the death or disqualification of a candidate subsequent to [~~noon of the seventh day~~] thirty days before the primary election and prior to the closing of the polls, such vacancy shall not be filled and the votes cast for such [~~deceased or disqualified~~] candidate shall be canvassed and counted, and, if he or she shall receive a plurality of the votes cast, another candidate may thereafter be nominated or the vacancy filled as provided by law or the rules of the party.

§ 3. Section 6-154 of the election law is amended by adding a new subdivision 4 to read as follows:

4. Each board of elections or the state board of elections as applicable shall make any determination required by this section no later than sixty days before the primary election in the case of challenges to designating or opportunity to ballot petitions and no later than seventy days before the general election in the case of challenges to nominating petitions and certificates of designation or nomination.

§ 4. Section 7-116 of the election law is amended by adding a new subdivision 8 to read as follows:

8. In cases where a name is added to or removed from the county board of elections' official ballot too late to make a complete compliance to these requirements feasible, the name may be added at the end of the row or column of candidates in all election districts, or removed from the ballot in all election districts without changing the previously arranged order of other names and without invalidating the election. Any inadvertent error in the order of names discovered too late to correct the order of the names on the ballots concerned shall not invalidate an election.

Except where a contest or candidate is removed from the ballot by court order too late to make complete compliance with this section feasible, the title of each public office or party position and the names of the candidates for such office or position appearing on any ballot used for elections over which the county board of elections has jurisdiction shall appear on such ballot immediately adjacent to one

another, either horizontally or vertically; and no blank spaces shall separate the names of candidates actually running for an office or party position on such ballot, and no blank spaces shall separate any two such offices or positions which appear on such ballot in the same column or row.

§ 5. Subdivision 3 of section 7-122 of the election law, as amended by chapter 165 of the laws of 2010, is amended to read as follows:

3. The determination of the appropriate county board of elections as to the candidates duly designated or nominated for public office or party position whose name shall appear on the absentee ballot and as to ballot proposals to be voted on shall be made no later than the day after the state board of elections issues its certification of those candidates to be voted for at the general, special or primary election. The determinations of the state board of elections and the respective county boards of elections shall be final and conclusive with respect to such offices for which petitions or certificates are required to be filed with such boards, as the case may be but nothing herein contained shall prevent a board of elections, or a court of competent jurisdiction from determining at a later date that any such certification, designation or nomination is invalid and, in the event of such later determination, no vote cast for any such nominee by any voter shall be counted at the election. Any order of a court of competent jurisdiction or determination by the board of elections changing the ballot as previously determined by the board of elections must be made and, where required, entered at least twenty days prior to the election.

§ 6. Subdivisions 1 and 2 of section 7-128 of the election law are amended to read as follows:

1. Each officer or board charged with the duty of providing official ballots for an election shall have sample ballots open to public inspection [~~five~~] fifty days, except in the case of extraordinary circumstances in which case on the earliest day practicable, before the election for which [~~they were~~] the ballots have been prepared and the official ballots open to such inspection [~~four~~] fifty days, except in the case of extraordinary circumstances in which case on the earliest day practicable, before such election except that the sample and official ballots for a village election held at a different time from a general election shall be open to public inspection at least two days before such election. During the times within which the ballots are open for inspection, such officer or board shall deliver to each voter applying therefor a sample of the ballot which he or she is entitled to vote.

2. Each officer or board charged with the duty of preparing ballots to be used [~~on~~] with voting machines in any election shall:

a. give written notice, by first class mail, to all candidates, except candidates for member of the county committee, who are lawfully entitled to have their names appear thereon, of the time when, and the place where, they may inspect the [~~voting machines~~] ballots to be used for such election. The candidates or their designated representatives may appear at the time and place specified in such notice to inspect such [~~machines~~] ballots, provided, however, that the time so specified shall [~~be not less than two~~] occur no later than forty-six days [~~prior to the date of~~] before the election at which the ballots will be used. A candidate, whose name appears on the ballot [~~for an election district~~] or his or her designated representative, may, in the presence of the election officer attending the [~~voting machine~~] ballot, inspect the [~~face of the machine~~] ballot to see that his or her ballot [~~label~~] posi-

tion is in its proper place[~~, but at no time during the inspection shall the booth be closed~~] or places.

b. give written notice, by first class mail, to all candidates, except candidates for member of the county committee, who are lawfully entitled to have their names appear thereon, of the time when, and the place where, they may inspect the voting machines or systems to be used for such election. The candidates or their designated representatives may appear at the time and place specified in such notice to view the conduct of the logic and accuracy testing required to be performed on such voting machines or systems, provided however, that the time so specified shall be not less than twenty days prior to the date of the election.

§ 7. Section 7-130 of the election law is amended to read as follows:

§ 7-130. Ballots; examination by voters and instruction in use of voting machines or systems. One or more voting machines [~~which shall contain the ballot labels~~] or systems on which ballots shall be cast, showing the party [~~emblems~~] names and [~~title~~] titles of [~~officers~~] offices to be voted for, and which shall so far as practicable contain the names of the candidates to be voted for, shall be placed on public exhibition in some suitable place by the board of elections, [~~in charge of competent instructors,~~] for at least three days during the thirty days next preceding an election. No voting machine or system which is to be assigned for use in an election shall be used for such purpose after having been prepared and sealed for the election. During such public exhibition, the counting mechanism of the machine or system shall be concealed from view and the doors, if any, may be temporarily opened only when authorized by the board or official having charge and control of the election. Any voter shall be allowed to examine such machine or system, and upon request shall be instructed in its use.

§ 8. Section 16-100 of the election law is amended by adding a new subdivision 3 to read as follows:

3. In view of the time required for boards of elections to reprint ballots and to conduct logic and accuracy testing required by title two of article seven of this chapter and regulations of the state board of elections, no court shall, except in extraordinary circumstances, enter a final order including the resolution of any appeals issued pursuant to subdivision four of section 16-102 of this article or subdivision four of section 16-104 of this article unless such order or determination shall be made in conformance with the time frame requirements of those sections.

§ 9. Subdivision 4 of section 16-102 of the election law, as added by chapter 135 of the laws of 1986, is amended to read as follows:

4. A final order including the resolution of any appeals in any proceeding involving the names of candidates on ballots or voting [~~machines~~] systems shall, except in extraordinary circumstances, be made[~~, if possible,~~] at least [~~five weeks~~] fifty-five days before the day of the election at which such ballots or voting [~~machines~~] systems are to be used, or if such proceeding is commenced within [~~five weeks~~] fifty-five days of such election, no later than the day following the day on which the case is heard.

§ 10. Subdivisions 1, 3 and 4 of section 16-104 of the election law, subdivision 3 as added by chapter 136 of the laws of 1978 and subdivision 4 as amended by chapter 117 of the laws of 1985, are amended to read as follows:

1. The form and content of any ballot, or portion thereof, to be used in an election, and the right to use any emblem design, color, party or

independent body name, may be contested in a proceeding instituted in the supreme court by any aggrieved candidate or by the chairman of any party committee or independent body. **A proceeding pursuant to this subdivision must be instituted within five days of the last date of the inspection of the ballot pursuant to paragraph (a) of subdivision two of section 7-128 of this chapter.**

3. A proceeding pursuant to subdivision two of this section must be instituted within [~~fourteen~~] **seven** days after the last day to certify the wording of any such abstract or form of submission.

4. A final order **including the resolution of any appeals** in any proceeding involving the contents of official ballots **to be used** on [~~voting machines~~] **ballot scanners** shall**, except in extraordinary circumstances,** be made[~~, if possible,~~] at least [~~five weeks~~] **twenty-five days** before the day of the election at which such [~~voting machines~~] **ballot scanners** are to be used[~~, or if such proceeding is commenced within five weeks of an election, no later than the day following the day on which the case is heard~~].

§ 11. This act shall take effect December 31, 2019.

§ 2. Severability. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court or competent jurisdiction to be invalid, such judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or subpart thereof directly involved in the controversy in which such judgement shall have been rendered. It is hereby declared to be intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 3. This act shall take effect immediately; provided, however, that the applicable effective date of subparts A through B of this part shall be as specifically set forth in the last section of such subparts.

PART F

Section 1. Section 14-116 of the election law, subdivision 1 as redesignated by chapter 9 of the laws of 1978, subdivision 2 as amended by chapter 260 of the laws of 1981, is amended to read as follows:

§ 14-116. Political contributions by certain organizations. 1. No corporation or joint-stock association doing business in this state, except a corporation or association organized or maintained for political purposes only, shall directly or indirectly pay or use or offer, consent or agree to pay or use any money or property for or in aid of any political party, committee or organization, or for, or in aid of, any corporation, **limited liability company,** joint-stock or other association organized or maintained for political purposes, or for, or in aid of, any candidate for political office or for nomination for such office, or for any political purpose whatever, or for the reimbursement or indemnification of any person for moneys or property so used. Any officer, director, stock-holder, **member, owner,** attorney or agent of any corporation**, limited liability company,** or joint-stock association which violates any of the provisions of this section, who participates in, aids, abets or advises or consents to any such violations, and any person who solicits or knowingly receives any money or property in violation of this section, shall be guilty of a misdemeanor.

2. Notwithstanding the provisions of subdivision one of this section, any corporation**, limited liability company, joint stock association,** or an organization financially supported in whole or in part[~~,~~] by **any** such

[~~corporation~~] entity, may make expenditures[~~, including contributions, not otherwise prohibited by law, for political purposes, in an amount not to exceed five thousand dollars in the aggregate in any calendar year~~] not otherwise prohibited by law for political purposes in the form of contributions to independent expenditure committees, and in the form of independent expenditures made as an independent expenditure committee; provided that no public utility shall use revenues received from the rendition of public service within the state for contributions for political purposes unless such cost is charged to the shareholders of such a public service corporation.

§ 2. This act shall take effect immediately.

PART G

Section 1. Section 5-211 of the election law, as amended by chapter 659 of the laws of 1994, the section heading and opening paragraph as amended by chapter 265 of the laws of 2013, and subdivisions 11 and 14 as amended by chapter 200 of the laws of 1996, is amended to read as follows:

§ 5-211. Agency assisted registration. Each agency designated as a participating agency under the provisions of this section shall implement and administer a program of [~~distribution of~~] integrated personal voter registration [~~forms~~] applications pursuant to the provisions of this section. The following offices which provide public assistance and/or provide state funded programs primarily engaged in providing services to persons with disabilities are hereby designated as voter registration agencies: designated as the state agencies which provide public assistance are the office of children and family services, the office of temporary and disability assistance and the department of health. Also designated as public assistance agencies are all agencies of local government that provide such assistance. Designated as state agencies that provide programs primarily engaged in providing services to people with disabilities are the department of labor, office for the aging, division of veterans' affairs, office of mental health, [~~office of vocational and educational services for individuals with disabilities, commission on quality of care for the mentally disabled, office of mental retardation and developmental disabilities,~~] office of adult career and continuing education services-vocational rehabilitation, office for people with developmental disabilities, commission for the blind, office of alcoholism and substance abuse services, [~~the office of the advocate for the disabled~~] the justice center and all offices which administer programs established or funded by such agencies. Additional state agencies designated as voter registration offices are the department of state and the division of workers' compensation. Such agencies shall be required to offer [~~voter registration forms~~] integrated personal voter registration applications to persons upon initial application for services, renewal or recertification for services and change of address relating to such services whether electronically or on paper. Such integrated personal voter registration application shall also serve as an application for pre-registration, as applicable. Such agencies shall also be responsible for providing assistance to applicants in completing voter registration forms, receiving and transmitting the completed application form from all applicants who wish to have such form transmitted to the appropriate board of elections. The agency shall transmit to the state board of elections that portion of each integrated personal voter registration application received by the agen-

cy, whether received electronically or on paper, that includes voter registration information. Such transmittal by the agency shall occur through an interface with the electronic voter registration transmittal system established and maintained by the state board of elections. The state board of elections shall electronically forward such application to the applicable board of elections of each county or the city of New York for filing, processing and verification consistent with this chapter. The state board of elections shall, together with representatives of the department of defense, develop and implement procedures for including recruitment offices of the armed forces of the United States as voter registration offices when such offices are so designated by federal law. The state board shall also make request of the United States Immigration and Naturalization Service to include applications for registration by mail with any materials which are given to new citizens. All institutions of the state university of New York and the city university of New York, shall, at the beginning of the school year, and again in January of a year in which the president of the United States is to be elected, provide an application for registration to each student in each such institution. The state board of elections may, by regulation, grant a waiver from any or all of the requirements of this section to any office or program of an agency, if it determines that it is not feasible for such office or program to administer such requirement.

1. The state board of elections shall adopt such rules and regulations as may be necessary to carry out the requirements of this section and shall prepare and distribute to participating agencies written instructions as to the implementation of the program and shall be responsible for establishing training programs for employees of participating agencies involved in such program. The state board of elections shall provide a toll free telephone to answer registration questions.

2. Strict neutrality with respect to a person's party enrollment shall be maintained and all persons seeking voter registration forms and information shall be advised that government services are not conditioned on being registered to vote. No statement shall be made nor any action taken to discourage the applicant from registering to vote.

3. If a participating agency provides services to a person with a disability at the person's place of residence, the agency shall offer the opportunity to complete a voter registration form at such place of residence.

4. Each participating agency shall provide to each applicant who does not decline to register to vote the same degree of assistance with regard to the completion of the registration application form as is provided by the agency with regard to the completion of its own form unless the applicant refuses such assistance.

5. Employees of a voter registration agency who provide voter registration assistance shall not:

(a) seek to influence an applicant's political preference or party designation;

(b) display any political preference or party allegiance;

(c) make any statement to an applicant or take any action the purpose or effect of which is to discourage the applicant from registering to vote; or

(d) make any statement to an applicant or take any action the purpose or effect of which is to lead the applicant to believe that a decision to register or not to register has any bearing on the availability of services or benefits.

6. The state board of elections shall coordinate and monitor the distribution of voter registration forms by those state agencies, departments, divisions and offices selected to participate in the program to maximize the efficient and non partisan distribution of voter registration information and forms. The board shall also adopt such rules and regulations as may be necessary to require county boards and participating agencies to provide the state board with such information and data as the board deems necessary to assess compliance with this section and to compile such statistics as may be required by the [~~federal elections commission~~] United States Election Assistance Commission.

7. Each participating agency, department, division and office that makes available integrated personal voter registration [~~forms~~] applications shall prominently display promotional materials designed and approved by the state board of elections, informing the public of the existence of voter registration services.

8. Each participating agency, department, division or office that makes available integrated personal voter registration [~~forms~~] applications pursuant to this section shall offer with each application for the services or assistance of such agency, department, division or office and with each recertification, renewal or change of address form relating to such service or assistance, [~~a registration form together~~] whether electronically or on paper, an application with instructions relating to eligibility to register and for completing the form [~~except that forms used by the department of social services for the initial application for services, renewal or recertification for services and change of address relating to such services shall physically incorporate a voter registration application in a fashion that permits the voter registration portion of the agency form to be detached therefrom~~]. Such voter registration application shall be designed so as to ensure the confidentiality of the source of the application. [~~Included on~~] The voter registration related portion of each participating agency's integrated application for services or assistance [~~or on a separate form~~] shall [~~be~~]:

(a) not require any information that duplicates the information required by the portion of the form related to the application for agency services or assistance and shall require only such additional information as will enable election officials to assess the applicant's eligibility to register to vote, prevent duplicate registration and to administer voter registration and other parts of the election process;

(b) include a statement of the eligibility requirements for voter registration and shall require the applicant to attest by his or her signature that he or she meets those requirements under penalty of perjury unless such applicant declines such registration;

(c) inform the applicant, in print identical to that used in the attestation section of the following:

(i) voter eligibility requirements;

(ii) penalties for submission of false registration application;

(iii) that the office where the applicant applies for registration shall remain confidential and the voter registration information shall be used only for voter registration purposes;

(iv) that if the applicant applies to register to vote electronically, such applicant thereby consents to the use of an electronic copy of the individual's manual signature that is in the custody of the department of motor vehicles, the state board of elections, or other agency designated by this section or section 5-212 of this title, as the individual's voter registration exemplar signature if the individual voter's exemplar signature is not provided with the voter registration applica-

tion, or provides such a signature by direct upload in a manner that complies with the New York state electronic signature and records act and the rules and regulations promulgated by the state board of elections; and

(v) if the applicant declines to register, such applicant's declination shall remain confidential and be used only for voter registration purposes;

(d) include a box for the applicant to check to indicate whether the applicant would like to decline to register to vote along with the statement in prominent type, "IF YOU DO NOT CHECK THIS BOX, AND YOU PROVIDE YOUR SIGNATURE ON THE SPACE BELOW, YOU WILL HAVE ATTESTED TO YOUR ELIGIBILITY TO REGISTER TO VOTE AND YOU WILL HAVE APPLIED TO REGISTER TO VOTE.";

(e) include a space for the applicant to indicate his or her choice of party enrollment, with a clear alternative provided for the applicant to decline to affiliate with any party;

[~~(a) the question, "If you are not registered to vote where you live now, would you like to apply to register here today?"~~]

[~~(b) The statement,~~] (f) state "applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.";

[~~(c) boxes for the applicant to check to indicate whether the applicant would like to register or decline to register to vote.~~

~~(d) the statement in prominent type, "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME."~~]

[~~(e) the statement,~~] (g) state "If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private.";

(h) state that if an applicant is a victim of domestic violence or stalking, he or she may contact the state board of elections in order to receive information regarding the address confidentiality program for victims of domestic violence under section 5-508 of this title;

[~~(f) the statement,~~] (i) state "If you believe that someone has interfered with your right to register or decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with the state board of elections (address and toll free telephone number).";

[~~(g)~~] (j) contain a toll free number at the state board of elections that can be called for answers to registration questions[~~.~~]; and

(k) include any other information that is necessary to comply with the requirements of the National Voter Registration Act.

9. An integrated personal voter registration application submitted to an agency in paper format shall be transmitted to the state board of elections through an electronic voter registration transmittal system by converting the paper form to an image file or a portable document format file which shall thereafter be deemed the original form for voter registration and enrollment purposes. The agency shall retain the complete original paper application for no less than two years. The transmittal of the converted paper application shall include all of the voter registration data elements, including signature, and record of attestation of the accuracy of the voter registration information, and may include or be accompanied by data elements and transmittal information as required by the rules and regulations of the state board of elections. A digital

image of a signature shall satisfy the signature requirement for purposes of this subdivision.

10. An integrated personal voter registration application submitted to an agency in an electronic format shall be transmitted to the state board of elections through the electronic voter registration transmittal system and shall include all of the voter registration data elements, including signature, and record of attestation of the accuracy of the voter registration information and any relevant document images. A signature may be electronic for purposes of this subdivision.

11. The agency shall redact or remove from the completed integrated application to be transmitted to the state board of elections any information solely applicable to the agency application.

12. Disclosure of voter registration information, including a declination to register, by a participating agency, its agents or employees, for other than voter registration purposes, shall be deemed an unwarranted invasion of personal privacy pursuant to the provisions of subdivision two of section eighty-nine of the public officers law and shall constitute a violation of this chapter.

[~~10.~~] 13. The form containing the declination to register to vote shall be retained by the recipient agency for the same period of time as such agency retains the accompanying application for services or for such shorter period of time as may be approved by the state board of elections.

[~~11.~~] 14. The participating agency shall transmit the completed integrated personal voter registration applications [~~for registration~~] and change of address forms to the [~~appropriate~~] state board of elections not later than ten days after receipt except that all such completed applications and forms received by the agency between the thirtieth and twenty-fifth day before an election shall be transmitted in such manner and at such time as to assure their receipt by [~~such~~] the appropriate board of elections not later than the twentieth day before such election.

[~~12.~~] 15. Completed [~~application forms~~] integrated personal voter registration applications, when received by a participating agency not later than the twenty-fifth day before the next ensuing primary, general or special election and transmitted by such agency to the [~~appropriate~~] state board of elections so that they are received by [~~such~~] the appropriate board not later than the twentieth day before such election shall entitle the applicant to vote in such election provided the board determines that the applicant is otherwise qualified.

[~~13. The state board of elections shall provide application forms for use pursuant to this section except that any agency which uses a form other than such registration form shall be responsible for providing such form. Forms which vary in design and or content from the form approved by the state board of elections may only be used with the approval of such board.~~

~~14.~~] 16. Applications shall be processed by the board of elections in the manner prescribed by section 5-210 of this title or, if the applicant is already registered to vote from another address in the county or city, in the manner prescribed by section 5-208 of this title. The board shall send the appropriate notice of approval or rejection as required by either subdivision nine of such section 5-210 or subdivision five of such section 5-208.

[~~15.~~] 17. The head of each participating agency shall take all actions which are necessary and proper for the implementation of this section. Each agency head shall designate one person within the agency as the

agency voter registration coordinator who will, under the direction of the state board of elections, be responsible for the voter registration program in such agency.

[~~16.~~] 18. The state board shall develop and distribute public information and promotional materials relating to the purposes and implementation of this program.

[~~17.~~] 19. Each agency designated as a participating agency under this section shall conduct a study and prepare a report to determine the feasibility, practicality and cost-effectiveness of designing their agency intake forms to serve also as voter registration forms that comply with state and federal law. Such study and report shall be completed by December 1, 1996. Copies of such reports shall be provided to the governor, the temporary president of the senate, the speaker of the assembly and the state board of elections. After submission of the report, participating agencies that determine that it is feasible, practical and cost-effective to have such forms also serve as voter registration forms shall do so upon the approval of the state board of elections. For each agency that determines it is feasible, practical and cost effective to use agency intake forms that serve also as voter registration forms, the state board of elections shall approve or disapprove such use within six months of the submission of the report by the agency.

20. The voter shall be able to sign the voter registration application and the agency application by means of a single manual or electronic signature unless the agency requires more than one signature for other agency purposes.

21. No application for voter registration shall be submitted if the applicant declines registration or fails to sign the integrated application, whether on paper or online.

22. (a) If a voter registration exemplar signature is not provided by an applicant who submits a voter registration application pursuant to this title, the local board shall seek to obtain such exemplar signature from the statewide voter registration database, the state board of elections, or a state or local agency designated by this section or section 5-212 of this title.

(b) If such exemplar signature is not available from the statewide voter registration database, the state board of elections, or a state or local agency designated by this section or section 5-212 of this title, the local board of elections shall, absent another reason to reject the application, proceed to register and, as applicable, enroll the applicant. Within ten days of such action, the board of elections shall send a standard form promulgated by the state board of elections to the voter whose record lacks an exemplar signature, requiring such voter to submit a signature for identification purposes. The voter shall submit to the board of elections a voter registration exemplar signature by any one of the following methods: in person, by mail with return postage paid provided by the board of elections, by electronic mail, or by electronic upload to the board of elections through the electronic voter registration transmittal system. If such voter does not provide the required exemplar signature, when the voter appears to vote the voter shall be entitled to vote in the same manner as a voter with a notation indicating the voter's identity has not yet been verified in the manner provided by section 8-302 of this chapter.

23. Notwithstanding subdivision six of section 5-210 of this title or any other law to the contrary, a person who is ineligible to vote who fails to decline to register to vote in accordance with the provisions

of this section and did not willfully or knowingly seek to register to vote knowing that he or she is not eligible to do so:

(a) shall not be guilty of any crime as the result of the applicant's failure to make such declination;

(b) shall be deemed to have been registered with official authorization; and

(c) such act may not be considered as evidence of a claim to citizenship.

24. Notwithstanding subdivision six of section 5-210 of this title or any other law to the contrary, a person who is ineligible to vote who fails to decline to register to vote in accordance with the provisions of this section, who then either votes or attempts to vote in an election held after the effective date of that person's registration, and who did not willfully or knowingly seek to register to vote knowing that he or she is not eligible to do so, and did not subsequently vote or attempt to vote knowing that he or she is not eligible to do so:

(a) shall not be guilty of any crime as the result of the applicant's failure to make such declination and subsequent vote or attempt to vote;

(b) shall be deemed to have been registered with official authorization; and

(c) such act may not be considered as evidence of a claim to citizenship.

25. Notwithstanding any other law to the contrary, no agency designated under this section shall transmit to the board of elections any application for registration or pre-registration for a person that is, by virtue of data maintained by the agency, demonstrably ineligible to register or pre-register to vote by reason of age or not being a citizen of the United States.

26. The state board of elections shall promulgate rules and regulations to implement this section. All agency forms and notices required by this section shall be approved by the state board of elections. All applications and notices for use by a board of elections pursuant to this section shall be promulgated by the state board of elections, and no addition or alteration to such forms by a board of elections shall be made without approval of the state board of elections.

§ 2. This act shall take effect on the earlier occurrence of: (i) two years after it shall have become a law; or (ii) five days after the date of certification by the state board of elections that the information technology infrastructure to substantially implement this act is functional. Provided, further that the state board of elections shall notify the legislative bill drafting commission upon the occurrence of the enactment of the legislation provided for in this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.

PART H

Section 1. Section 3-110 of the election law, as renumbered by chapter 234 of the laws of 1976, is amended to read as follows:

§ 3-110. Time allowed employees to vote. 1. [~~If a~~] A registered voter [~~does not have sufficient time outside of his working hours, within which to vote at any election, he~~] may, without loss of pay for up to [~~two~~] three hours, take off so much working time as will[~~, when added to his voting time outside his working hours,~~] enable him or her to vote at any election.

2. [~~If an employee has four consecutive hours either between the opening of the polls and the beginning of his working shift, or between the end of his working shift and the closing of the polls, he shall be deemed to have sufficient time outside his working hours within which to vote. If he has less than four consecutive hours he may take off so much working time as will when added to his voting time outside his working hours enable him to vote, but not more than two hours of which shall be without loss of pay, provided that he~~] The employee shall be allowed time off for voting only at the beginning or end of his or her working shift, as the employer may designate, unless otherwise mutually agreed.

3. If the employee requires working time off to vote [~~he~~] the employee shall notify his or her employer not [~~more than ten nor~~] less than two working days before the day of the election that he or she requires time off to vote in accordance with the provisions of this section.

4. Not less than ten working days before every election, every employer shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of this section. Such notice shall be kept posted until the close of the polls on election day.

§ 2. This act shall take effect immediately.

PART I

Section 1. Subdivision 2 of section 8-100 of the election law, as amended by chapter 367 of the laws of 2017, is amended to read as follows:

2. Polls shall be open for voting during the following hours: a primary election from [~~twelve o'clock noon until nine o'clock in the evening, except in the city of New York and the counties of Nassau, Suffolk, Westchester, Rockland, Orange, Putnam, Dutchess and Erie, and in such city or county from~~] six o'clock in the morning until nine o'clock in the evening; the general election from six o'clock in the morning until nine o'clock in the evening; a special election called by the governor pursuant to the public officers law, and, except as otherwise provided by law, every other election, from six o'clock in the morning until nine o'clock in the evening; early voting hours shall be as provided in title six of this article.

§ 2. This act shall take effect on the first of January after it shall have become a law and shall apply to any election held 120 days after.

PART J

Section 1. The opening paragraph of paragraph (b) of subdivision 4 of section 3-212 of the election law, as amended by chapter 79 of the laws of 1992, is amended to read as follows:

Said annual report, as required by paragraph (a) of this subdivision, shall include a detailed description of existing programs designed to enhance voter registration, including pre-registration. Such report shall include a voter registration action plan which details the various activities and programs of each board, including a description of those

steps which shall be taken in the future to increase registration opportunities, especially for those identifiable groups of persons historically underrepresented on the rolls of registered voters; and coordinate voter education programs with school districts, colleges and universities within the board's jurisdiction including voter registration of qualified applicants and instructional or extracurricular activities promoting participation in the electoral process.

§ 2. Paragraph (g) and subparagraphs (vi) and (xi) of paragraph (k) of subdivision 5 of section 5-210 of the election law, as amended by chapter 179 of the laws of 2005, are amended to read as follows:

(g) Notice that the applicant must be a citizen of the United States, is [~~or will be~~] at least [~~eighteen~~] **sixteen** years old [~~not later than December thirty-first of the calendar year in which he or she registers~~]~~,~~ and **is** a resident of the county or city to which application is made.

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

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

AFFIDAVIT: I swear or affirm that:

* I am a citizen of the United States.
* I will have lived in the county, city, or village for at least 30 days before the election.
* I meet all the requirements to register **or pre-register** to vote in New York State.
* This is my signature or mark on the line below.
* All the information contained on this application is true. I understand that if it is not true I can be convicted and fined up to $5,000 and/or jailed for up to four years.

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

§ 3. Paragraph o of subdivision 4 of section 5-500 of the election law, as amended by chapter 659 of the laws of 1994, is amended and a new paragraph p is added to read as follows:

o. A space for "remarks" regarding other facts required by this chapter to be recorded or appropriate to identify the voter[~~.~~]~~;~~

p. A space for pre-registering applicants to respond to the following question: "Are you at least 16 years of age and understand that you must be 18 years of age on or before election day to vote, and that until you reach the age of 18 your registration will be marked as 'pending' and you will be unable to cast a ballot in any election?".

§ 4. Subdivision 1 of section 5-102 of the election law is amended to read as follows:

1. No person shall be qualified to register for and vote at any election unless he is a citizen of the United States [~~and is or will be, on the day of such election~~], **is** eighteen years of age or over, and **is** a resident of this state and of the county, city or village for a minimum of thirty days next preceding such election.

§ 5. The election law is amended by adding a new section 5-507 to read as follows:

§ 5-507. Voter pre-registration. A person who is at least sixteen years of age and who is otherwise qualified to register to vote may

pre-register to vote, and shall be automatically registered upon reaching the age of eligibility, following verification of the person's qualifications and address.

§ 6. This act shall take effect on the first of January next succeeding the date on which it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rules or regulations necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.

PART K

Section 1. The election law is amended by adding a new section 14-131 to read as follows:

§ 14-131. Government vendor contributions. 1. (a) It shall be unlawful during the restricted vendor contribution period for any person, organization, group of persons, or business entity that submits a bid, quotation, offer or response to a state governmental entity posting or solicitation for procurement to make a contribution to any officeholder of the state governmental entity or entities issuing such posting or solicitation, evaluating such response or approving or awarding the final procurement contract, or to any candidate for an office of such governmental entity, including to such officeholder's or candidate's authorized political committees.

(b) For purposes of this section the assembly and senate shall be separate and distinct governmental entities when a particular posting or solicitation for procurement is issued by only one respective house.

(c) The state governmental entity directly responsible for issuing such posting or solicitation for procurement shall include a notice of the prohibition established by this section and the state governmental entity responsible for evaluating responses to such posting or solicitation shall provide to any person, organization, group of persons, or business entity that submits a proposal in response to such posting or solicitation a notice of the prohibition established by this section and the restricted vendor contribution period commencement date.

2. As used in this section "business entity" means a business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this state or any other state or foreign jurisdiction, including any subsidiary directly or indirectly controlled by the business entity, and any political organization, including but not limited to any political organization organized under section 527 of the Internal Revenue Code, that is directly or indirectly controlled by the business entity.

3. The restricted vendor contribution period described in this section shall commence, with respect to a specific person, organization, group of persons, or business entity that submits a bid, quotation, offer or response to the state governmental entity posting or solicitation, at the earliest posting, on a state governmental entity's website, in a newspaper of general circulation or in the procurement opportunities newsletter in accordance with article four-C of the economic development law of written notice, advertisement or solicitation of a request for proposal, invitation for bids, or solicitations of proposals, or any other method provided for by law or regulation for soliciting a response from offerers intending to result in a procurement contract with a state governmental entity. The restricted vendor contribution period does not apply to a person, organization, group of persons or business entity

that is responding to a state governmental entity's request for information or other informational exchanges occurring prior to such governmental entity's posting or solicitation for procurement.

4. The restricted vendor contribution period described in this section shall end with respect to a specific person, organization, group of persons, or business entity as follows:

(a) If the person, organization, group of persons, or business entity is the recipient of the final contract award, the restricted vendor contribution period shall end one year after the final contract award and approval by the state governmental entity and, where applicable, the state comptroller.

(b) If the person, organization, group of persons, or business entity is not the recipient of the final contract award, the restricted vendor contribution period shall end with the final contract award and approval by the state governmental entity and, where applicable, the state comptroller.

§ 2. Section 14-126 of the election law is amended by adding a new subdivision 8 to read as follows:

8. (a) Any person, organization, group of persons, or business entity as that term is used in section 14-131 of this article, who, under circumstances evincing an intent to violate such law, makes a contribution in contravention of section 14-131 of this article shall be subject to a civil penalty not to exceed the greater of ten thousand dollars or an amount equal to two hundred percent of the contribution, to be recoverable in a special proceeding or civil action to be brought by the state board of elections chief enforcement counsel.

(b) Any person who, acting as or on behalf of an officeholder, candidate, or political committee, accepts a contribution in contravention of section 14-131 of this article shall be required to refund such contribution.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.

PART L

Section 1. Section 5-208 of the election law, as added by chapter 659 of the laws of 1994, subdivisions 1, 5 and 8 as amended by chapter 200 of the laws of 1996, is amended to read as follows:

§ 5-208. Transfer of registration and enrollment. 1. The board of elections shall transfer the registration and enrollment of any voter appearing on a statewide voter list pursuant to subdivision one of section 5-614 of this article for whom it receives a notice of change of address to another address in [~~the same county or city~~] New York state, or for any voter who casts a ballot in an affidavit ballot envelope which sets forth such a new address. Such notices shall include, but not be limited to, notices received from any state agency which conducts a voter registration program pursuant to the provisions of sections 5-211 and 5-212 of this title, that the voter has notified such agency of a change of address in [~~the same city or county~~] New York state unless the voter has indicated that such change of address is not for voter registration purposes, notices of change of address from the United States Postal Service through the National Change of Address System, any notices of a forwarding address on mail sent to a voter by the board of elections and returned by the postal service, national or state voter registration forms, confirmation mailing response cards, United States Postal Service notices to correspondents of change of

address, applications for registration from persons already registered in [~~such county or city~~] New York state, or any other notices to correspondents sent to the board of elections by such voters.

2. Upon receipt of such a notice, the board shall compare the signature (if any) and other information with the signature and other information on the registration record on file. If such signature and other information appears to be correct, the board shall change the address of the voter in all the records of such board.

3. If such a notice is received at least twenty days before a primary, special or general election, such change of address must be completed before such election.

4. If such application for registration from a voter already registered in [~~such county or city~~] New York state also reflects a change of enrollment, the board of elections shall treat such application as an application for change of enrollment pursuant to section 5-304 of this article.

5. As soon as practicable, after it transfers a voter's registration, the board of elections shall send the voter, by forwardable first class or return postage guaranteed mail, a notice advising him or her of the transfer in a form which is similar to the notice sent to new registrants pursuant to the provisions of section 5-210 of this title and which has been approved by the state board of elections. If the notice of change of address did not contain the voter's signature, such notice shall include a postage paid return card, in a form prescribed by the state board of elections, on which the voter may notify the board of elections of any correction of address, together with a statement on such notice and on the return card that the voter should return such card only if the address to which the notice was sent is not the voter's current address.

6. If a notice sent pursuant to subdivision five of this section is returned by the postal service as undeliverable and without a forwarding address, the board of elections shall return the registration of such voter to the original address, send such voter a confirmation notice pursuant to the provisions of subdivision one of section 5-712 of this [~~title~~] article and place such voter in inactive status.

7. The board of elections shall preserve such notices of change of address for as long as registration records are otherwise required to be preserved or, if the computer readable records maintained by the board of elections include a complete copy of such notice, the board shall preserve the original notice for a period of at least two years or such longer period as the state board of elections may require.

8. If the board of elections receives notice of a change of address within [~~such city or county~~] New York state from, or with respect to, a person who it determines is not registered in [~~such county or city~~] New York state, it shall forthwith send such person a notice to that effect in a form approved by the state board of elections at the new address set forth in such notice of change of address, together with a voter registration form.

9. The state board of elections shall promulgate regulations as to the procedures for transferring a voter's registration and enrollment from one county to another.

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

(ii) He or she may swear to and subscribe an affidavit stating that he or she has duly registered to vote, the address in such election

district from which he or she registered, that he or she remains a duly qualified voter in such election district, that his or her registration poll record appears to be lost or misplaced or that his or her name and/or his or her signature was omitted from the computer generated registration list or that he or she has moved within [~~the county or city~~] **New York state** since he or she last registered, the address from which he or she was previously registered and the address at which he or she currently resides, and at a primary election, the party in which he or she is enrolled. The inspectors of election shall offer such an affidavit to each such voter whose residence address is in such election district. Each such affidavit shall be in a form prescribed by the state board of elections, shall be printed on an envelope of the size and quality used for an absentee ballot envelope, and shall contain an acknowledgment that the affiant understands that any false statement made therein is perjury punishable according to law. Such form prescribed by the state board of elections shall request information required to register such voter should the county board determine that such voter is not registered and shall constitute an application to register to vote. The voter's name and the entries required shall then be entered without delay and without further inquiry in the fourth section of the challenge report or in the place provided at the end of the computer generated registration list, with the notation that the voter has executed the affidavit hereinabove prescribed, or, if such person's name appears on the computer generated registration list, the board of elections may provide a place to make such entry next to his or her name on such list. The voter shall then, without further inquiry, be permitted to vote an affidavit ballot provided for by this chapter. Such ballot shall thereupon be placed in the envelope containing his or her affidavit, and the envelope sealed and returned to the board of elections in the manner provided by this chapter for protested official ballots, including a statement of the number of such ballots.

§ 3. This act shall take effect on the first of July next succeeding the date on which it shall have become a law.

PART M

Section 1. Subdivision 6 of section 14-114 of the election law is amended by adding a new paragraph c to read as follows:

c. Lobbyists, as defined by subdivision (a) of section one-c of the legislative law or by subdivision (a) of section 3-211 of the administrative code of the city of New York, political action committees, labor unions, and any person who has registered with the state board of elections as an independent expenditure committee pursuant to subdivision three of section 14-107 of this article are prohibited from making loans to candidates or political committees; provided, however, that a lobbyist shall not be prohibited from making a loan to himself or herself or to his or her own political committee when such lobbyist is a candidate for office.

§ 2. This act shall take effect immediately.

PART N

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

38. "Computer generated registration list" means a printed or electronic list of voters in alphabetical order for a single election

district or poll site, generated from a computer registration file for each election and containing for each voter listed, a facsimile of the signature of the voter. Such a list may be in a single volume or in more than one volume. The list may be utilized in place of registration poll records, to establish a person's eligibility to vote in the polling place on election day.

(a) The state board of elections shall promulgate minimum security standards for any electronic device, and any network or system to which the electronic device is connected, that is used to store or otherwise access a computer generated registration list, and shall also promulgate a list of devices that are approved for use. No local board of elections shall be permitted to use such a device unless the state board of elections has previously approved the device for use and has certified that the network or system to which the electronic device is connected is compliant with the minimum security standards.

(b) The minimum security standards for such devices shall be commensurate with the level of security risk applicable to such devices and shall specifically take into account any security risk associated with voting equipment-related supply chains in addition to any other applicable security risk.

§ 2. Subdivision 1 of section 4-128 of the election law, as amended by chapter 125 of the laws of 2011, is amended to read as follows:

1. The board of elections of each county shall provide the requisite number of official and facsimile ballots, two cards of instruction to voters in the form prescribed by the state board of elections, at least one copy of the instruction booklet for inspectors, a sufficient number of maps, street finders or other descriptions of all of the polling places and election districts within the political subdivision in which the polling place is located to enable the election inspectors and poll clerks to determine the correct election district and polling place for each street address within the political subdivision in which the polling place is located, distance markers, tally sheets and return blanks, pens, [~~black ink, or ball point pens with black ink,~~] pencils [~~having black lead~~], or other appropriate marking devices, envelopes for the ballots of voters whose registration poll records are not in the ledger or whose names are not [~~on~~] in the computer generated registration list, envelopes for returns, identification buttons, badges or emblems for the inspectors and clerks in the form prescribed by the state board of elections and such other articles of stationery as may be necessary for the proper conduct of elections, except that when a town, city or village holds an election not conducted by the board of elections, the clerk of such town, city or village, shall provide such official and facsimile ballots and the necessary blanks, supplies and stationery for such election.

§ 3. Subdivision c of section 4-132 of the election law, as amended by chapter 164 of the laws of 1985, is amended to read as follows:

c. A booth or device in each election district for the use of voters marking ballots. Such booth or device shall be so constructed as to permit the voter to mark his or her ballot in secrecy and shall be furnished at all times with [~~a pencil having black lead only~~] an appropriate marking device.

§ 4. Section 4-134 of the election law, the section heading as amended by chapter 373 of the laws of 1978, subdivisions 1 and 3 as amended by chapter 163 of the laws of 2010, subdivision 2 as amended by chapter 425 of the laws of 1986, and subdivisions 5 and 6 as amended by chapter 635 of the laws of 1990, is amended to read as follows:

§ 4-134. Preparation and delivery of ballots, supplies and equipment for use at elections. 1. The board of elections shall deliver, at its office, to the clerk of each town or city in the county, except the cities of New York, Buffalo and Rochester and to the clerk of each village in the county in which elections are conducted by the board of elections, by the Saturday before the primary, general, village or other election for which they are required: the official and sample ballots; ledgers prepared for delivery in the manner provided in subdivision two of this section and containing the registration poll records of all persons entitled to vote at such election in such town, city or village, or computer generated registration lists containing the names of all persons entitled to vote at such election in such town, city or village; challenge reports prepared as directed by this chapter; sufficient applications for registration by mail; sufficient ledger seals and other supplies and equipment required by this article to be provided by the board of elections for each polling place in such town, city or village. The town, city or village clerk shall call at the office of such board of elections at such time and receive such ballots, supplies and equipment. In the cities of New York, Buffalo and Rochester the board of elections shall cause such ballots, supplies and equipment to be delivered to the board of inspectors of each election district approximately one-half hour before the opening of the polls for voting, and shall take receipts therefor.

2. The board of elections shall provide for each election district a ledger or ledgers containing the registration poll records or [~~printed~~] lists with computer generated facsimile signatures, of all persons entitled to vote in such election district at such election. Such ledgers shall be labelled, sealed, locked and transported in locked carrying cases. After leaving the board of elections no such carrying case shall be unlocked except at the time and in the manner provided in this chapter.

3. [~~Any envelope containing absentee voters' ballots on which the blanks have not been properly filled in shall be stamped to indicate the defect and shall be preserved by the board for at least one year after the receipt thereof.~~

~~4.~~] Each kind of official ballot shall be arranged in a package in the consecutive order of the numbers printed on the stubs thereof beginning with number one. All official and sample ballots for each election district shall be in separate sealed packages, clearly marked on the outside thereof, with the number and kind of ballots contained therein and indorsed with the designation of the election district for which they were prepared. The other supplies provided for each election district also shall be [~~inclosed~~] **enclosed** in a sealed package, or packages, with a label on the outside thereof showing the contents of each package.

[~~5. Each town, city and village clerk receiving such packages shall cause all~~] **4. All** such packages so received and marked for any election district [~~to~~] **shall** be delivered unopened and with the seals thereof unbroken to the inspectors of election of such election districts at least [~~one-half~~] **one** hour before the opening of the polls of such election therein, [~~and~~] **who** shall [~~take~~] **give** a receipt therefor specifying the number and kind of packages delivered. [~~At the same time each such clerk shall cause to be delivered to such inspectors the equipment described in subdivision two of this section and shall cause a receipt to be taken therefor.~~

~~6.~~] 5. Town, city and village clerks required to provide official and sample ballots, registration records, seals, supplies and equipment, as described in this section, for town, city and village elections not conducted by the board of elections, shall in like manner, deliver them to the inspectors or presiding officers of the election at each polling place at which such meetings and elections are held, respectively, in like sealed packages marked on the outside in like manner, and shall take receipts therefor in like manner.

§ 5. Subdivision 1 of section 5-302 of the election law, as separately amended by chapters 164 and 558 of the laws of 1985, is amended to read as follows:

1. Before placing the registration poll record in the poll ledger or in the computer generated registration list, the board shall enter in the space provided therefor [~~on the back of such registration poll record~~] the name of the party designated by the voter on his application form, provided such party continues to be a party as defined in this law. If such party ceases to be a party at any time, either before or after such enrollment is so entered, the enrollment of such voter shall be deemed to be blank and shall be entered as such until such voter files an application for change of enrollment pursuant to the provisions of this chapter. [~~In the city of New York the board shall also affix a gummed sticker of a different color for each party in a place on such registration poll record immediately adjacent to such entry.~~] The board shall enter the date of such entry and affix initials thereto in the space provided.

§ 6. Paragraph c of subdivision 3 of section 5-506 of the election law, as amended by chapter 659 of the laws of 1994, is amended to read as follows:

c. The computer generated registration list prepared for each election in each election district shall be [~~printed by a printer~~] prepared in a manner which meets or exceeds standards for clarity and speed of [~~reproduction~~] production established by the state board of elections, shall be in a form approved by such board, shall include the names of all voters eligible to vote in such election and shall be in alphabetical order, except that, at a primary election, the names of the voters enrolled in each political party may be placed in a separate part of the list or in a separate list, as the board of elections in its discretion, may determine. Such list shall contain, adjacent to each voter's name, or in a space so designated, at least the following: street address, date of birth, party enrollment, year of registration, a computer reproduced facsimile of the voter's signature or an indication that the voter is unable to sign his name, a place for the voter to sign his name at such election and a place for the inspectors to mark the voting machine number, the public counter number [~~and~~] if any, or the number of any paper ballots given the voter.

§ 7. Subdivision 2 of section 8-202 of the election law, as amended by chapter 164 of the laws of 2010, is amended to read as follows:

2. The exterior of any ballot scanner, ballot marking device and privacy booth and every part of the polling place shall be in plain view of the election inspectors and watchers. The ballot scanners, ballot marking devices, and privacy booths shall be placed at least four feet from the table used by the inspectors in charge of the poll [~~books~~] ledger or computer generated registration list. The guard-rail shall be at least three feet from the machine and the table used by the inspectors. The election inspectors shall not themselves be, or allow any other person to be, in any position or near any position, that will

permit one to see or ascertain how a voter votes, or how he or she has voted nor shall they permit any other person to be less than three feet from the ballot scanner, ballot marking device, or privacy booth while occupied. The election inspectors or clerks attending the ballot scanner, ballot marking device, or privacy booth shall regularly inspect the face of the ballot scanner, ballot marking device, or the interior of the privacy booth to see that the ballot scanner, ballot marking device, or privacy booth has not been damaged or tampered with. During elections the door or other covering of the counter compartment of the machine shall not be unlocked or opened except by a member of the board of elections, a voting machine custodian or any other person upon the specific instructions of the board of elections.

§ 8. Subdivisions 2, 2-a, 3, 4 and 5 of section 8-302 of the election law, subdivision 2-a as added by chapter 179 of the laws of 2005, subdivisions 3 and 4 as amended by chapter 200 of the laws of 1996, the opening paragraph of paragraph (e) of subdivision 3 as amended by chapter 125 of the laws of 2011 and subparagraph (ii) of paragraph (e) of subdivision 3 as amended by chapter 164 of the laws of 2010, are amended to read as follows:

2. The voter shall give [~~his~~] **the voter's** name and [~~his~~] **the voter's** residence address to the inspectors. An inspector shall then loudly and distinctly announce the name and residence of the voter.

2-a. (a) If a voter's name appears in the **ledger or** computer generated registration list with a notation indicating that the voter's identity was not yet verified as required by the federal Help America Vote Act, the inspector shall require that the voter produce one of the following types of identification before permitting the voter to cast his or her vote on the voting machine:

(i) a driver's license or department of motor vehicles non-driver photo ID card or other current and valid photo identification;

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

(b) If the voter produces an identification document listed in paragraph (a) of this subdivision, the inspector shall indicate so in the **ledger or** computer generated registration list, the voter will be deemed verified as required by the federal Help America Vote Act and the voter shall be permitted to cast his or her vote on the voting machine.

(c) If the voter does not produce an identification document listed in paragraph (a) of this subdivision, the voter shall only be entitled to vote by affidavit ballot unless a court order provides otherwise.

3. (a) If an applicant is challenged, the board, without delay, shall either enter his name in the second section of the challenge report together with the other entries required to be made in such section opposite the applicant's name or make an entry next to [~~his~~] **the voter's** name [~~on~~] **in** the computer generated registration list or in the place provided [~~at the end of~~] **in** the computer generated registration list.

(b) A person who claims to have moved to a new address within the election district in which he **or she** is registered to vote shall be permitted to vote in the same manner as other voters unless challenged on other grounds. The inspectors shall enter the names and new addresses of all such persons in either the first section of the challenge report or in the place provided [~~at the end of~~] **in** the computer generated registration list and shall also enter the new address next to such person's address on such computer generated registration list. When the registration poll records of persons who have voted from new addresses

within the same election district are returned to the board of elections, such board shall change the addresses on the face of such registration poll records without completely obliterating the old addresses and shall enter such new addresses and the new addresses for any such persons whose names were [~~on~~] in computer generated registration lists into its computer records for such persons.

(c) A person who claims a changed name shall be permitted to vote in the same manner as other voters unless challenged on other grounds. The inspectors shall either enter the names of all such persons in the first section of the challenge report or in the place provided [~~at the end of~~] in the computer generated registration list, in the form in which they are registered, followed in parentheses by the name as changed or enter the name as changed next to such voter's name on the computer generated registration list. The voter shall sign first on the registration poll record or [~~on~~] in the computer generated registration list, the name under which the voter is registered and, immediately above it, the new name, provided that [~~on~~] in such [~~a computer generated~~] registration list, the new name may be signed in the place provided [~~at the end of such list~~]. When the registration poll record of a person who has voted under a new name is returned to the board of elections, such board shall change [~~his~~] the voter's name on the face of each [~~of his~~] registration [~~records~~] record without completely obliterating the old one, and thereafter such person shall vote only under his or her new name. If a voter has signed a new name [~~on~~] in a computer generated registration list, such board shall enter such voter's new name and new signature in such voter's computer record.

(d) If an applicant requests assistance in voting and qualifies therefor, the board shall provide assistance as directed by this chapter, and shall without delay either enter such applicant's name and the other entries required in the third section of the challenge report or make an entry next to such applicant's name [~~on~~] in the computer generated registration list or in the place provided [~~at the end of the computer generated~~] in such registration list.

(e) Whenever a voter presents himself or herself and offers to cast a ballot, and he or she claims to live in the election district in which he or she seeks to vote but no registration poll record can be found for him or her in the poll ledger or his or her name does not appear [~~on~~] in the computer generated registration list or his or her signature does not appear next to his or her name [~~on~~] in such [~~computer generated~~] registration list or his or her registration poll record or the computer generated registration list does not show him or her to be enrolled in the party in which he or she claims to be enrolled, a poll clerk or election inspector shall consult a map, street finder or other description of all of the polling places and election districts within the political subdivision in which said election district is located and if necessary, contact the board of elections to obtain the relevant information and advise the voter of the correct polling place and election district for the residence address provided by the voter to such poll clerk or election inspector. Thereafter, such voter shall be permitted to vote in said election district only as hereinafter provided:

(i) He or she may present a court order requiring that he or she be permitted to vote. At a primary election, such a court order must specify the party in which the voter is permitted to vote. [~~He~~] The voter shall be required to sign [~~his~~] their full name on top of the first page of such order, together with [~~his~~] the voter's registration serial

number, if any, and [~~his~~] **the voter's** name and the other entries required shall then be entered without delay in the fourth section of the challenge report or in the place provided [~~at the end of~~] **in** the computer generated registration list, or, if such person's name appears on [~~the computer generated~~] **such** registration list, the board of elections may provide a place to make such entry next to his **or her** name on such list. The voter shall then be permitted to vote in the manner otherwise prescribed for voters whose registration poll records are found in the ledger or whose names are found on the computer generated registration list; or

(ii) He or she may swear to and subscribe an affidavit stating that he or she has duly registered to vote, the address in such election district from which he or she registered, that he or she remains a duly qualified voter in such election district, that his or her registration poll record appears to be lost or misplaced or that his or her name and/or his or her signature was omitted from the computer generated registration list or that he or she has moved within the county or city since he or she last registered, the address from which he or she was previously registered and the address at which he or she currently resides, and at a primary election, the party in which he or she is enrolled. The inspectors of election shall offer such an affidavit to each such voter whose residence address is in such election district. Each such affidavit shall be in a form prescribed by the state board of elections, shall be printed on an envelope of the size and quality used for an absentee ballot envelope, and shall contain an acknowledgment that the affiant understands that any false statement made therein is perjury punishable according to law. Such form prescribed by the state board of elections shall request information required to register such voter should the county board determine that such voter is not registered and shall constitute an application to register to vote. The voter's name and the entries required shall then be entered without delay and without further inquiry in the fourth section of the challenge report or in the place provided [~~at the end of~~] **in** the computer generated registration list, with the notation that the voter has executed the affidavit hereinabove prescribed, or, if such person's name appears [~~on the computer generated~~] **in such** registration list, the board of elections may provide a place to make such entry next to his or her name [~~on~~] **in** such list. The voter shall then, without further inquiry, be permitted to vote an affidavit ballot provided for by this chapter. Such ballot shall thereupon be placed in the envelope containing his or her affidavit, and the envelope sealed and returned to the board of elections in the manner provided by this chapter for protested official ballots, including a statement of the number of such ballots.

4. At a primary election, a voter whose registration poll record is in the ledger **or computer generated registration list** shall be permitted to vote only in the primary of the party in which such record shows [~~him~~] **the voter** to be enrolled unless [~~he~~] **the voter** shall present a court order pursuant to the provisions of subparagraph (i) of paragraph (e) of subdivision three of this section requiring that [~~he~~] **the voter** be permitted to vote in the primary of another party, or unless [~~he~~] **the voter** shall present a certificate of enrollment issued by the board of elections, not earlier than one month before such primary election, pursuant to the provisions of this chapter which certifies that [~~he~~] **the voter** is enrolled in a party other than the one in which such record shows [~~him~~] **the voter** to be enrolled, or unless he **or she** shall

subscribe an affidavit pursuant to the provisions of subparagraph (ii) of paragraph (e) of subdivision three of this section.

5. Except for voters unable to sign their names, no person shall be permitted to vote without first identifying himself **or herself** as required by this chapter.

§ 9. Subdivisions 1, 2 and 3 of section 8-304 of the election law, subdivisions 1 and 2 as amended by chapter 425 of the laws of 1986, are amended to read as follows:

1. A person before being allowed to vote shall be required, except as provided in this chapter, to sign his **or her** name on the back of his **or her** registration poll record on the first line reserved for his **or her** signature at the time of election which is not filled with a previous signature, or [~~on the line of~~] **in the space provided in** the computer generated registration list reserved for [~~his~~] **the voter's** signature. The two inspectors in charge shall satisfy themselves by a comparison of this signature with [~~his~~] **the voter's** registration signature and by comparison of [~~his~~] **the voter's** appearance with the descriptive material on the face of the registration poll record that [~~he~~] **the voter** is the person registered. If they are so satisfied they shall enter the other information required for the election on the same line with the voter's latest signature, shall sign their names or initials in the spaces provided therefor, and shall permit the applicant to vote. Any inspector or inspectors not satisfied shall challenge the applicant forthwith.

2. If a person who alleges [~~his~~] **an** inability to sign his **or her** name presents himself **or herself** to vote, the board of inspectors shall permit [~~him~~] **such person** to vote, unless challenged on other grounds, provided [~~he~~] **the voter** had been permitted to register without signing [~~his~~] **the voter's** name. The board shall enter the words "Unable to Sign" in the space on [~~his~~] **the voter's** registration poll record reserved for [~~his~~] **the voter's** signature or on the line [~~of~~] **or space** the computer generated registration list reserved for [~~his~~] **the voter's** signature at such election. If [~~his~~] **the voter's** signature appears upon [~~his~~] **the voter's** registration record or [~~upon~~] **in** the computer generated registration list the board shall challenge [~~him~~] **the voter** forthwith, except that if such a person claims that he **or she** is unable to sign his **or her** name by reason of a physical disability incurred since [~~his~~] **the voter's** registration, the board, if convinced of the existence of such disability, shall permit him **or her** to vote, shall enter the words "Unable to Sign" and a brief description of such disability in the space reserved for [~~his~~] **the voter's** signature at such election. At each subsequent election, if such disability still exists, [~~he~~] **the voter** shall be entitled to vote without signing [~~his~~] **their** name and the board of inspectors, without further notation, shall enter the words "Unable to Sign" in the space reserved for [~~his~~] **the voter's** signature at such election.

3. The voter's **facsimile** signature [~~made by him upon registration and his signature made at subsequent elections~~] shall be effectively concealed from the voter by a blotter or [~~piece of opaque paper~~] **other means** until after the voter shall have completed [~~his~~] **the** signature.

§ 10. Subdivision 3 of section 8-306 of the election law, as amended by chapter 154 of the laws of 1991, is amended to read as follows:

3. Any voter who requires assistance to vote by reason of blindness, disability or inability to read or write may be given assistance by a person of the voter's choice, other than the voter's employer or agent of the employer or officer or agent of the voter's union. A voter entitled to assistance in voting who does not select a particular person may be assisted by two election inspectors not of the same political faith.

The inspectors or person assisting a voter shall enter the voting machine or booth with [~~him~~] the voter, help [~~him~~] the voter in the preparation of [~~his~~] the voter's ballot and, if necessary, in the return of the voted ballot to the inspectors for deposit in the ballot box. The inspectors shall enter in the [~~remarks space on the registration poll card of an assisted voter, or next to the name of~~] space provided for such voter [~~on~~] in the computer generated registration list, the name of each officer or person rendering such assistance.

§ 11. Subdivision 2 of section 8-508 of the election law, as amended by chapter 200 of the laws of 1996, is amended to read as follows:

2. (a) The first section of such report shall be reserved for the inspectors of election to enter the name, address and registration serial number of each person who claims a change in name, or a change of address within the election district, together with the new name or address of each such person. In lieu of preparing section one of the challenge list, the board of elections may provide, next to the name of each voter [~~on~~] in the computer generated registration list, a place for the inspectors of election to record the information required to be entered in such section one, or provide [~~at the end of such computer generated~~] elsewhere in such registration list, a place for the inspectors of election to enter such information.

(b) The second section of such report shall be reserved for the board of inspectors to enter the name, address and registration serial number of each person who is challenged on the day of election, together with the reason for the challenge. If no voters are challenged, the board of inspectors shall enter the words "No Challenges" across the space reserved for such names. In lieu of preparing section two of the challenge report, the board of elections may provide, next to the name of each voter [~~on~~] in the computer generated registration list, a place for the inspectors of election to record the information required to be entered in such section two, or provide [~~at the end of such computer generated~~] elsewhere in such registration list, a place for the inspectors of election to enter such information.

(c) The third section of such report shall be reserved for the board of inspectors to enter the name, address and registration serial number of each voter given assistance, together with the reason the voter was allowed assistance, the name of the person giving such assistance and his address if not an inspector. If no voters are given assistance, the board of inspectors shall enter the words "No Assistance" across the space reserved for such names. In lieu of providing section three of the challenge report, the board of elections may provide, next to the name of each voter [~~on~~] in the computer generated registration list, a place for the inspectors of election to record the information required to be entered in such section three, or provide [~~at the end of such computer generated~~] elsewhere in such registration list, a place for the inspectors of election to enter such information.

(d) The fourth section of such report shall be reserved for the board of inspectors to enter the name, address and registration serial number of each person who was permitted to vote pursuant to a court order, or to vote on a paper ballot which was inserted in an affidavit envelope. If there are no such names, such board shall enter the word "None" across the space provided for such names. In lieu of providing section four of such report, the board of elections may provide, next to the name of each voter [~~on~~] in the computer generated registration list, a place for the inspectors of election to record the information required to be entered in such section four, or provide [~~at the end of the~~

~~computer generated~~] elsewhere in such registration list, a place for the inspectors of election to enter such information.

(e) At the foot of such report [~~and~~] or at the end of any such computer generated registration list, if applicable, shall be [~~printed~~] a certificate that such report or list contains the names of all persons who were challenged on the day of election, and that each voter so reported as having been challenged took the oaths as required, that such report or list contains the names of all voters to whom such board gave or allowed assistance and lists the nature of the disability which required such assistance to be given and the names and family relationship, if any, to the voter of the persons by whom such assistance was rendered; that each such assisted voter informed such board under oath that he required such assistance and that each person rendering such assistance took the required oath; that such report or list contains the names of all voters who were permitted to vote although their registration poll records were missing; that the entries made by such board are a true and accurate record of its proceedings with respect to the persons named in such report or list.

(f) Upon the return of such report [~~and~~] or lists to the board of elections, it shall complete the investigation of voting qualifications of all persons named in the second section thereof or for whom entries were placed [~~on~~] in such computer generated registration lists in lieu of the preparation of the second section of the challenge report, and shall forthwith proceed to cancel the registration of any person who, as noted upon such report, or in such list, was challenged at such election and refused either to take a challenge oath or to answer any challenge question.

(g) The state board of elections shall prescribe a form of challenge report for use pursuant to the provisions of this section. Such form may require the insertion of such other information as the state board shall deem appropriate.

§ 12. Section 8-510 of the election law, the section heading as amended by chapter 373 of the laws of 1978, subdivision 1 as amended by chapter 200 of the laws of 1996, and subdivision 3 as amended by chapter 43 of the laws of 1988, is amended to read as follows:

§ 8-510. Challenge report; completion of and [~~closing of registration poll ledgers~~] procedure after. 1. Immediately after the close of the polls the board of inspectors of election shall verify the entries which it has made on the challenge report or [~~at the end of the~~] in the spaces provided in the computer generated registration list by comparing such entries with the information appearing on the registration poll records of the affected voters or the information appearing [~~next to the names of such voters on~~] in the spaces provided in the computer generated registration list. If it has made no entries in section two, three or four of such report it shall write across or note in such section the words "No challenges", "No assistance" or "None", as the case may be, as directed in this chapter.

2. After completing such report the inspectors shall sign [~~the~~] a certificate [~~at the end of~~] in the spaces provided by the county board of elections for such report.

3. The inspectors shall place such completed report, and each court order, if any, directing that a person be permitted to vote, [~~inside a~~] in the secure container provided by the county board of elections for such ledger of registration records or computer generated registration lists [~~between the front cover, and the first registration record~~] and then shall close and seal each ledger of registration records or comput-

er generated registration lists, [~~affix their signature to the seal,~~] lock such ledger in the carrying case furnished for that purpose and enclose the keys in a sealed package or seal such list in the envelope provided for that purpose.

§ 13. Clauses (C) and (D) of subparagraph (i) of paragraph (a) of subdivision 2 of section 9-209 of the election law, as amended by chapter 308 of the laws of 2011, are amended to read as follows:

(C) If such person is found to be registered and has not voted in person, an inspector shall compare the signature, if any, on each envelope with the signature, if any, on the registration poll record, the computer generated list of registered voters or the list of special presidential voters, of the person of the same name who registered from the same address. If the signatures are found to correspond, such inspector shall certify thereto by [~~signing~~] **placing** his or her initials in the [~~"Inspector's Initials" line on the~~] **space provided in the** computer generated list of registered voters [~~or in the "remarks" column as appropriate~~].

(D) If such person is found to be registered and has not voted in person, and if no challenge is made, or if a challenge made is not sustained, the envelope shall be opened, the ballot or ballots withdrawn without unfolding, and the ballot or ballots deposited in the proper ballot box or boxes, or envelopes, provided however that, in the case of a primary election, the ballot shall be deposited in the box only if the ballot is of the party with which the voter is enrolled according to the entry on the back of his or her registration poll record or [~~next to his or her name on~~] **in** the computer generated registration list; if not, the ballot shall be rejected without inspection or unfolding and shall be returned to the envelope which shall be endorsed "not enrolled." At the time of the deposit of such ballot or ballots in the box or envelopes, the inspectors shall enter the words "absentee vote" or "military vote" in the space reserved for the voter's signature on the aforesaid list or in the "remarks" [~~column~~] **space** as appropriate, and shall enter the year and month of the election on the same line in the spaces provided therefor.

§ 14. Subdivision 4 of section 11-206 of the election law, as amended by chapter 91 of the laws of 1992, is amended to read as follows:

4. The registration poll records of special federal voters shall be filed, in alphabetical order, by election district. At each election at which [~~the ballots of~~] special federal voters are [~~delivered to the inspectors of election in each election district~~] **eligible to vote**, the registration poll records of all special federal voters [~~eligible to vote at such election~~] shall be delivered to such inspectors of election together with the other registration poll records or the names of such voters shall be included [~~on~~] **in** the computer generated registration list. Such records shall be delivered either in a separate poll ledger or a separate, clearly marked section, of the main poll ledger or [~~in a separate,~~] **be** clearly marked[~~, section of~~] **in** the computer generated registration list as the board of elections shall determine.

§ 15. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.

PART O

Section 1. Section 1-c of the legislative law is amended by adding a new paragraph (x) to read as follows:

(x) The term "fundraising activities" shall mean solicitation or collection by a lobbyist of contributions for a candidate for nomination for election, or election, to the office of governor, lieutenant governor, comptroller, attorney general, member of the legislature, elected office in a municipality, or for a political committee for use in an election campaign of any such candidate.

§ 2. Sections 1-u and 1-v of the legislative law, section 1-v as renumbered by chapter 1 of the laws of 2005, are renumbered sections 1-y and 1-z and a new section 1-u is added to read as follows:

§ 1-u. Fundraising reports. (a) (i) For purposes of this section, the terms "contribution", "political committee", and "candidate" shall have the meanings set forth in section 14-100 of the election law.

(ii) For purposes of this section, the term "lobbyist" shall mean a lobbyist as defined in section one-c of this article.

(b) Any lobbyist required to file a statement of registration pursuant to section one-e of this article who in any calendar year to which the statement of registration relates, or in the six months preceding such calendar year, engages in fundraising activities, shall file, with the joint commission on public ethics, on forms prescribed by the joint commission on public ethics, a fundraising report. Such report shall be filed in accordance with the schedule applicable to the filing of bi-monthly reports under section one-h of this article, provided that the first fundraising report filed in any calendar year shall include information on fundraising activities that occurred in any period beginning six months preceding the calendar year to which the statement of registration relates through the end of the reporting period for which the report is filed, to the extent such information has not been reported in a previously filed fundraising report. Each subsequent fundraising report filed in or with respect to the calendar year to which the statement of registration relates shall include information on all fundraising activities that occurred in the reporting period for which the current report is filed.

(c) Such fundraising report shall contain: (i) the name, address and telephone number of the lobbyist and the individuals utilized by the lobbyist engaged in such fundraising; (ii) the name, address and telephone number of the candidate, public servant, or elected official to whom or on whose behalf the lobbyist provided fundraising services; (iii) (1) the compensation, if any, paid or owed to the lobbyist and any expenses incurred by the lobbyist for such fundraising activities; (2) a list of all persons or entities with whom the lobbyist contracted for the purpose of providing fundraising services; (iv) the total dollar amount raised for each candidate or committee for which such activities were performed, including contributions made by the lobbyist.

(d) All such fundraising reports shall be subject to review by the joint commission on public ethics.

(e) Whenever there is a change in the information filed by a lobbyist in a report filed pursuant to this section, an amended report shall be submitted to the joint commission on public ethics on forms prescribed by the joint commission on public ethics, within ten days of the change in the information occurring.

(f) Such fundraising reports shall be kept in electronic form by the joint commission on public ethics and shall be available for public inspection pursuant to section one-s of this article.

§ 3. This act shall take effect immediately.

PART P

Section 1. Section 1-c of the legislative law is amended by adding a new subdivision (x) to read as follows:

(x) The term "political consulting" shall mean and include the provision, for compensation, to any public official or candidate for an elected state office, of advice, services or assistance in securing such public office including, but not limited to, campaign management, fundraising activities, public relations or media services, but shall exclude bona fide legal work directly related to litigation or legal advice with regard to securing a place on the ballot, the petitioning process, the conduct of an election or which involves the election law.

§ 2. Section 1-m of the legislative law, as added by chapter 14 of the laws of 2007, is amended to read as follows:

§ 1-m. Prohibition of gifts **and political consulting**. **(a)** No individual or entity required to be listed on a statement of registration pursuant to this article shall offer or give a gift to any public official as defined within this article, unless under the circumstances it is not reasonable to infer that the gift was intended to influence such public official. No individual or entity required to be listed on a statement of registration pursuant to this article shall offer or give a gift to the spouse or unemancipated child of any public official as defined within this article under circumstances where it is reasonable to infer that the gift was intended to influence such public official. No spouse or unemancipated child of an individual required to be listed on a statement of registration pursuant to this article shall offer or give a gift to a public official under circumstances where it is reasonable to infer that the gift was intended to influence such public official. This section shall not apply to gifts to officers, members or directors of boards, commissions, councils, public authorities or public benefit corporations who receive no compensation or are compensated on a per diem basis, unless the person listed on the statement of registration appears or has matters pending before the board, commission or council on which the recipient sits.

(b) No person that is engaged in lobbying an elected official shall engage in political consulting for that elected official.

(c) No person that is engaged in political consulting for any elected official or candidate for an elected office shall engage in lobbying that elected official.

§ 3. Subdivision (h) of section 1-c of the legislative law, as added by chapter 2 of the laws of 1999, is amended to read as follows:

(h) The term "compensation" shall mean any salary, fee, gift, payment, benefit, loan, advance or any other thing of value paid, owed, given or promised to the lobbyist **or political consultant** by the client for lobbying **or political consulting** but shall not include contributions reportable pursuant to article fourteen of the election law.

§ 4. Section 14-100 of the election law is amended by adding two new subdivisions 18 and 19 to read as follows:

18. "political consulting" means and includes the provision for compensation, to any political committee or candidate for an elected office of advice, services or assistance in securing public office including, but not limited to, campaign management, fundraising activities, public relations or media services, but shall exclude legal work directly related to litigation or legal advice with regard to securing a place on the ballot, the petitioning process, the conduct of an election or which involves this chapter.

19. "compensation" means any salary, fee, gift, payment, benefit, loan, advance or any other thing of value paid, owed, given or promised, but shall not include contributions reportable pursuant to this article.

§ 5. Subdivision 1 of section 14-102 of the election law, as amended by chapter 8 of the laws of 1978 and as redesignated by chapter 9 of the laws of 1978, is amended to read as follows:

1. The treasurer of every political committee which, or any officer, member or agent of any such committee who, in connection with any election, receives or expends any money or other valuable thing or incurs any liability to pay money or its equivalent shall file statements sworn, or subscribed and bearing a form notice that false statements made therein are punishable as a class A misdemeanor pursuant to section 210.45 of the penal law, at the times prescribed by this article setting forth all the receipts, contributions to and the expenditures by and liabilities of the committee, and of its officers, members and agents in its behalf. Such statements shall include the dollar amount of any receipt, contribution or transfer, or the fair market value of any receipt, contribution or transfer, which is other than of money, the name and address of the transferor, contributor or person from whom received, and if the transferor, contributor or person is a political committee; the name of and the political unit represented by the committee, the date of its receipt, the dollar amount of every expenditure, the name and address of the person to whom it was made or the name of and the political unit represented by the committee to which it was made and the date thereof, and shall state clearly the purpose of such expenditure. **Furthermore, such statements shall include a list of all persons which provided political consulting services, and the fair market value of and the actual amount paid to each such person for the provision of political consulting services.** Any statement reporting a loan shall have attached to it a copy of the evidence of indebtedness. Expenditures in sums under fifty dollars need not be specifically accounted for by separate items in said statements, and receipts and contributions aggregating not more than ninety-nine dollars, from any one contributor need not be specifically accounted for by separate items in said statements, provided however, that such expenditures, receipts and contributions shall be subject to the other provisions of section 14-118 of this article.

§ 6. Subdivision 1 of section 14-104 of the election law, as amended by section 1 of part C of chapter 286 of the laws of 2016, is amended to read as follows:

1. Any candidate for election to public office, or for nomination for public office at a contested primary election or convention, or for election to a party position at a primary election, shall file statements sworn, or subscribed and bearing a form notice that false statements made therein are punishable as a class A misdemeanor pursuant to section 210.45 of the penal law, at the times prescribed by this article setting forth the particulars specified by section 14-102 of this article, as to all moneys or other valuable things, paid, given, expended or promised by him or her to aid his or her own nomination or election, or to promote the success or defeat of a political party, or to aid or influence the nomination or election or the defeat of any other candidate to be voted for at the election or primary election or at a convention, including contributions to political committees, officers, members or agents thereof, and transfers, receipts and contributions to him or her to be used for any of the purposes above specified, or in lieu thereof, any such candidate may file such a sworn statement at the first

filing period, on a form prescribed by the state board of elections that such candidate has made no such expenditures and does not intend to make any such expenditures, except through a political committee authorized by such candidate pursuant to this article. **Furthermore, such statements shall include a list of all persons which provided political consulting services, and the fair market value of and the actual amount paid to each such person for the provision of political consulting services.** Such candidate may designate a committee of no less than three persons who shall be authorized to appoint and remove the treasurer of any authorized committee of the candidate. The designation or revocation of the committee shall be evidenced in a writing filed with the state board of elections by the candidate authorizing the committee. The candidate may revoke such designation at any time. A committee authorized by such a candidate may fulfill all of the filing requirements of this act on behalf of such candidate.

§ 7. This act shall take effect on the thirtieth day after it shall have become a law.

PART Q

Section 1. Section 172-e of the executive law, as added by section 1 of part F of chapter 286 of the laws of 2016, is amended to read as follows:

§ 172-e. Disclosure of certain donations by charitable non-profit entities. 1. Definitions. For the purposes of this section:

(a) "Covered entity" shall mean any corporation or entity that is qualified as an exempt organization or entity by the United States Department of the Treasury under I.R.C. 501(c)(3) that is required to report to the [~~department of law~~] **joint commission on public ethics** pursuant to this section.

(b) "In-kind donation" shall mean [~~donations~~] **any contribution or donation** of staff, staff time, personnel, offices, office supplies, [~~financial~~] **or other non-monetary** support of any kind [~~or any other resources~~].

(c) [~~"Donation"~~] **"Monetary donation"** shall mean any **financial** contribution, including a **monetary** gift, loan, [~~in-kind donation,~~] **or** advance [~~or deposit of money or anything of value~~].

(d) "Recipient entity" shall mean any corporation or entity that is qualified as an exempt organization or entity by the United States Department of the Treasury under I.R.C. 501(c)(4) that is required to file a source of funding report with the joint commission on public ethics pursuant to sections one-h and one-j of the legislative law.

(e) "Reporting period" shall mean the six month period within a calendar year starting January first and ending June thirtieth or the six month period within a calendar year starting July first and ending December thirty-first.

2. Funding disclosure reports to be filed by covered entities. (a) Any covered entity that makes **a monetary donation or** an in-kind donation in excess of two thousand five hundred dollars to a recipient entity during a [~~relevant~~] reporting period shall file a funding disclosure report with the [~~department of law~~] **joint commission on public ethics**. The funding disclosure report shall include:

(i) the name and address of the covered entity that made the **monetary or** in-kind donation;

(ii) the name and address of the recipient entity that received or benefitted from the **monetary or** in-kind donation;

(iii) the names of any persons who exert operational or managerial control over the covered entity. The disclosures required by this paragraph shall include the name of at least one natural person;

(iv) the date the **monetary or** in-kind donation was made by the covered entity;

(v) [~~any donation in excess of two thousand five hundred dollars to the covered entity during the relevant reporting period including the identity of the donor of any such donation~~] **the name and address of any individual, corporation, association or group that made any monetary or in-kind donation in excess of two thousand five hundred dollars to the covered entity during the relevant reporting period**; and

(vi) the date of any such **monetary or in-kind** donation to a covered entity.

(b) The covered entity shall file a funding disclosure report with the [~~department of law~~] **joint commission on public ethics** within thirty days of the close of a reporting period.

(c) The recipient entity shall send a written notification to any covered entity who has made an in-kind or monetary donation in excess of two thousand five hundred dollars to the recipient entity during a relevant reporting period. Such notification shall advise that the recipient entity is required to file a source of funding report with the joint commission on public ethics pursuant to sections one-h and one-j of the legislative law.

(d) A covered entity that maintains one or more segregated bank accounts containing funds used solely for monetary donations and makes all of its monetary donations to recipient entities from such an account and makes no in-kind donations, then with respect to donations included in paragraph (a) of this subdivision, the funding disclosure report need only include monetary donations deposited into such accounts.

3. Public disclosure of funding disclosure reports. The [~~department of law~~] **joint commission on public ethics** shall promulgate any regulations necessary to implement these requirements and shall [~~forward the disclosure reports to the joint commission on public ethics for the purpose of publishing such~~] **publish the funding disclosure** reports on the commission's website, within thirty days of the close of each reporting period; provided however that [~~the attorney general~~] **up to one hundred eighty days before the start of a reporting period, or at any time if good cause is shown, a covered entity may make an application for an exemption from the public disclosure requirements outlined in this subdivision. Exemption determinations shall be made by the executive director of the joint commission on public ethics**, or his or her designee, **who** may determine that disclosure of donations to the covered entity shall not be made public if, based upon a review of the relevant facts presented by the covered entity, such disclosure may cause harm, threats, harassment, or reprisals to the source of the donation or to individuals or property affiliated with the source of the donation. **With respect to future donations and donors, the executive director of the joint commission on public ethics, or his or her designee, shall determine that disclosure of donations to the covered entity shall not be made public if, based upon a review of the relevant facts presented by the covered entity, such disclosure is likely to cause future harm, threats, harassment, or reprisals to future donors, or is likely to dissuade future donors from donating to the covered entity. The determination of the executive director of the joint commission on public ethics that certain disclosures shall not be made public shall remain in effect for two consecutive reporting periods and may be extended by the**

executive director of the joint commission on public ethics, or his or her designee, based upon good cause shown. The covered entity may appeal the [~~attorney general's~~] determination of the executive director of the joint commission on public ethics and such appeal shall be heard by a judicial hearing officer who is independent and not affiliated with or employed by the [~~department of law~~] joint commission on public ethics, pursuant to regulations promulgated by the [~~department of law~~] joint commission on public ethics. The covered entity's sources of donations that are the subject of such appeal shall not be made public pending final judgment on appeal.

§ 2. Paragraph (b) of subdivision 1, paragraphs (b) and (c) of subdivision 2 and subdivision 3 of section 172-f of the executive law, as added by section 1 of part G of chapter 286 of the laws of 2016, are amended to read as follows:

(b) "Covered communication" means a communication, that does not require a report pursuant to article one-A of the legislative law or article fourteen of the election law, by a covered entity, that is conveyed to five hundred or more members of a general public audience in the form of: (i) an audio or video communication via broadcast, cable or satellite; (ii) a written communication via advertisements, pamphlets, circulars, flyers, brochures, letterheads; or (iii) other published statement which[~~:~~] refers to and advocates for or against: a clearly identified elected official [~~or the position of any elected official or administrative or legislative body relating to~~], a declared candidate for elected office, the outcome of any vote [~~or substance of any legislation, potential legislation, pending legislation~~] or decision by any legislative, executive or administrative body, or the drafting, passage or defeat of any legislation, rule, regulation, or hearing[~~, or decision by any legislative, executive or administrative body~~].

Covered communication shall not include: (i) communications with a professional journalist or newscaster, including an editorial board or editorial writer of a newspaper, magazine, news agency, press association or wire service, relating to news, as these terms are defined in section seventy-nine-h of the civil rights law, and communications relating to confidential and non-confidential news as described in subdivisions (b) and (c) of section seventy-nine-h of the civil rights law respectively and communications made pursuant to community outreach efforts for broadcast stations required by federal law; or

(ii) a communication that is: (A) directed, sent or distributed by the covered entity only to individuals who affirmatively consent to be members of the covered entity, contribute funds to the covered entity, or, pursuant to the covered entity's articles or bylaws, have the right to vote directly or indirectly for the election of directors or officers, or on changes to bylaws, disposition of all or substantially all of the covered entity's assets or the merger or dissolution of the covered entity; or (B) for the purpose of promoting or staging any candidate debate, town hall or similar forum to which at least two candidates seeking the same office, or two proponents of differing positions on a referendum or question submitted to voters, are invited as participants, and which does not promote or advance one candidate or position over another.

(b) The covered entity shall file a financial disclosure report with the [~~department of law~~] joint commission on public ethics within thirty days of the close of a reporting period.

(c) [~~If a~~] A covered entity [~~keeps~~] that maintains one or more segregated bank accounts containing funds used solely for covered communi-

cations and makes all of its expenditures for covered communications from such accounts, then with respect to **monetary** donations included in subparagraph (iv) of paragraph (a) of this subdivision, the financial report need only include **monetary** donations deposited into such accounts.

3. The [~~department of law~~] **joint commission on public ethics** shall make the financial disclosure reports available to the public on the [~~department of law~~] **joint commission on public ethics** website within thirty days of the close of each reporting period, provided however that [~~the attorney general~~] **up to one hundred eighty days before the start of a reporting period, or at any time if good cause is shown, a covered entity may make an application for an exemption from the public disclosure requirements outlined in subdivision two of this section. Exemption determinations shall be made by the executive director of the joint commission on public ethics**, or his or her designee, **who** may determine that disclosure of donations shall not be made public if, based upon a review of the relevant facts presented by the covered entity, such disclosure may cause harm, threats, harassment, or reprisals to the source of the donation or to individuals or property affiliated with the source of the donation. **With respect to future donations and donors, the executive director of the joint commission on public ethics, or his or her designee, shall determine that disclosure of donations to the covered entity shall not be made public if, based upon a review of the relevant facts presented by the covered entity, such disclosure is likely to cause future harm, threats, harassment, or reprisals to future donors, or is likely to dissuade future donors from donating to the covered entity. The determination of the executive director of the joint commission on public ethics that certain disclosures shall not be made public shall remain in effect for two consecutive reporting periods and may be extended by the executive director of the joint commission on public ethics, or his or her designee, based upon good cause shown.** The covered entity may appeal the [~~attorney general's~~] determination **of the executive director of the joint commission on public ethics** and such appeal shall be heard by a judicial hearing officer who is independent and not affiliated with or employed by the [~~department of law~~] **joint commission on public ethics**, pursuant to regulations promulgated by the [~~department of law~~] **joint commission on public ethics**. The covered entity shall not be required to disclose the sources of donations that are the subject of such appeal pending final judgment on appeal.

§ 3. This act shall take effect on the thirtieth day after it shall have become a law.

PART R

Section 1. Subdivision (w) of section 1-c of the legislative law, as added by section 8 of part A of chapter 399 of the laws of 2011, is amended to read as follows:

(w) The term "reportable business relationship" shall mean **either** a relationship in which compensation is paid by a lobbyist or by a client of a lobbyist, in exchange for any goods, services or anything of value, the total value of which is in excess of [~~one thousand~~] **five hundred** dollars annually, to be performed or provided by or intended to be performed or provided by (i) any statewide elected official, state officer, state employee, member of the legislature or legislative employee, or (ii) any entity in which the lobbyist or the client of a lobbyist knows or has reason to know the statewide elected official, state offi-

cer, state employee, member of the legislature or legislative employee is a proprietor, partner, director, officer or manager, or owns or controls ten percent or more of the stock of such entity (or one percent in the case of a corporation whose stock is regularly traded on an established securities exchange).

§ 2. Subdivision (a) of section 1-h of the legislative law, as amended by chapter 14 of the laws of 2007, is amended to read as follows:

(a) Any lobbyist required to file a statement of registration pursuant to section one-e of this article who in any lobbying year reasonably anticipates that during the year such lobbyist will expend, incur or receive combined reportable compensation and expenses in an amount in excess of five [~~thousand~~] **hundred** dollars, as provided in paragraph five of subdivision (b) of this section, for the purpose of lobbying, shall file with the commission a bi-monthly written report, on forms supplied by the commission, by the fifteenth day next succeeding the end of the reporting period in which the lobbyist was first required to file a statement of registration. Such reporting periods shall be the period of January first to the last day of February, March first to April thirtieth, May first to June thirtieth, July first to August thirty-first, September first to October thirty-first and November first to December thirty-first.

§ 3. Subdivision (a) of section 1-j of the legislative law, as amended by chapter 14 of the laws of 2007, is amended to read as follows:

(a) Semi-annual reports shall be filed by any client retaining, employing or designating a lobbyist or lobbyists, whether or not any such lobbyist was required to file a bi-monthly report, if such client reasonably anticipates that during the year such client will expend or incur an amount in excess of five [~~thousand~~] **hundred** dollars of combined reportable compensation and expenses, as provided in paragraph five of subdivision [~~(c)~~] **(b)** of this section, for the purposes of lobbying.

§ 4. Paragraphs 3 and 4 of subdivision (a) of section 1-e of the legislative law, as amended by chapter 1 of the laws of 2005, are amended to read as follows:

(3) Commencing calendar year two thousand five and thereafter every lobbyist shall biennially file with the commission, on forms provided by the commission, a statement of registration for each biennial period beginning with the first year of the biennial cycle commencing calendar year two thousand five and thereafter; provided, however, that the biennial filing of such statement of registration shall not be required of any lobbyist who (i) in any year prior to calendar year two thousand six does not expend, incur or receive an amount in excess of two thousand dollars of reportable compensation and expenses, as provided in paragraph five of subdivision (b) of section one-h of this article, for the purposes of lobbying and commencing with calendar year two thousand six does not expend, incur or receive an amount in excess of five thousand dollars of reportable compensation, as provided in paragraph five of subdivision (b) of section one-h of this article for the purposes of lobbying [~~or~~] **and** (ii) **starting year two thousand twenty-one, does not expend, incur or receive an amount in excess of five hundred dollars of reportable compensation and expenses, as provided in paragraph five of subdivision (b) of section one-h of this article, for the purposes of lobbying commencing with calendar year two thousand twenty-one does not expend, incur or receive an amount in excess of five hundred dollars of reportable compensation, as provided in paragraph five of subdivision (b) of section one-h of this article for the purposes of lobbying or (iii)** is an officer, director, trustee or employee of any public corpo-

ration, when acting in such official capacity; provided however, that nothing in this section shall be construed to relieve any public corporation of the obligation to file such statements and reports as required by this article.

(4) Such biennial filings shall be completed on or before January first of the first year of a biennial cycle commencing in calendar year two thousand five and thereafter, by those persons who have been retained, employed or designated as lobbyist on or before December fifteenth of the previous calendar year and who reasonably anticipate that in the coming year they will expend, incur or receive combined reportable compensation and expenses in an amount in excess of two thousand dollars in years prior to calendar year two thousand six and five thousand dollars [~~commencing in~~] from two thousand six to two thousand twenty and five hundred dollars commencing in two thousand twenty-one; for those lobbyists retained, employed or designated after the previous December fifteenth, and for those lobbyists who subsequent to their retainer, employment or designation reasonably anticipate combined reportable compensation and expenses in excess of such amount, such filing must be completed within fifteen days thereafter, but in no event later than ten days after the actual incurring or receiving of such reportable compensation and expenses.

§ 5. This act shall take effect on the thirtieth day after it shall have become a law.

PART S

Section 1. Subparagraphs (i) and (ii) of subdivision (a) of section 1-o of the legislative law, as added by chapter 14 of the laws of 2007, are amended to read as follows:

(i) Any lobbyist, public corporation, or client who knowingly and wilfully fails to file timely a report or statement required by this section or knowingly and wilfully files false information or knowingly and wilfully violates section one-m of this article shall be guilty of a class A misdemeanor and may be barred from engaging in lobbying activities, as the term is defined in subdivision (c) of section one-c of this article, for a period of up to two years; and

(ii) any lobbyist, public corporation, or client who knowingly and wilfully fails to file timely a report or statement required by this section or knowingly and wilfully files false information or knowingly and wilfully violates section one-m of this article, after having previously been convicted in the preceding [~~five~~] ten years of the crime described in paragraph (i) of this subdivision, shall be guilty of a class E felony. Any lobbyist, public corporation or client convicted of or pleading guilty to a felony under the provisions of this section [~~may~~] shall be barred from [~~acting as a lobbyist~~] engaging in lobbying activities, as the term is defined in subdivision (c) of section one-c of this article, for a period of [~~one year~~] no less than two years and no more than six years from the date of the conviction. For the purposes of this subdivision, the chief administrative officer of any organization required to file a statement or report shall be the person responsible for making and filing such statement or report unless some other person prior to the due date thereof has been duly designated to make and file such statement or report.

§ 2. Subparagraph (B) of paragraph (iii) of subdivision (b) of section 1-o of the legislative law, as added by chapter 14 of the laws of 2007, is amended to read as follows:

(B) If, after a lobbyist or client has been found to have violated subdivision one of section one-n of this article, a lobbyist or client knowingly and wilfully violates the provisions of subdivision one of section one-n of this article within [~~four~~] ten years of such finding, the lobbyist or client shall be subject to a civil penalty not to exceed twenty-five thousand dollars.

§ 3. Paragraph (iv) of subdivision (b) of section 1-o of the legislative law, as added by chapter 14 of the laws of 2007, is amended to read as follows:

(iv) Any lobbyist or client that knowingly and wilfully fails to file a statement or report within the time required for the filing of such report, knowingly and wilfully files a false statement or report, or knowingly and wilfully violates section one-m of this article, after having been found by the commission to have knowing and wilfully committed such conduct or violation in the preceding [~~five~~] ten years, may be subject to a determination that the lobbyist or client is [~~prohibited~~] barred from engaging in lobbying activities, as that term is defined in [~~paragraph (v) of~~] subdivision (c) of section one-c of this article, for a period of [~~one year~~] no less than two years and no more than six years.

§ 4. Paragraph (v) of subdivision (b) of section 1-o of the legislative law, as added by chapter 14 of the laws of 2007, is amended to read as follows:

(v) Any lobbyist, public corporation or client that knowingly and wilfully engages in lobbying activities, as that term is defined in [~~paragraph (v) of~~] subdivision (c) of section one-c of this article, during the period in which the commission determined that they are [~~prohibited~~] barred from engaging in lobbying activities, [~~as that term is defined in paragraph (v) of subdivision (c) of section one-c of this article~~] pursuant to this [~~subdivision~~] section, shall be guilty of a class E felony and may be subject to a determination that the lobbyist, public corporation, or client is prohibited from engaging in lobbying activities[~~, as that term is defined in paragraph (v) of subdivision (c) of section one-c of this article,~~] for a period of [~~up to four~~] not less than two and no more than ten years, and such lobbyist, public corporation or client, in addition to or in lieu of such penalty shall be subject to a civil penalty not to exceed fifty thousand dollars, plus a civil penalty in an amount equal to five times the value of any gift, compensation or benefit received as a result of the violation.

§ 5. Subdivision (b) of section 1-o of the legislative law, is amended by adding a new paragraph (vii) to read as follows:

(vii) A lobbyist or client who, during the conduct of a random audit pursuant to section one-d of this chapter, knowingly and willfully fails to comply with requests for the production of documents bearing upon any matters required to be included in a filing or registration or otherwise fails to comply with requests of the commission related to the enforcement of this chapter, shall be subject to a civil penalty not to exceed ten thousand dollars.

§ 6. Paragraphs (i) and (ii) of subdivision (c) of section 1-o of the legislative law, as added by chapter 14 of the laws of 2007, are amended to read as follows:

(i) Any assessment or order to debar rendered by the commission pursuant to this section shall be determined only after a hearing at which the party shall be entitled to appear, present evidence and be heard. In ordering debarment, the commission shall consider whether the facts, circumstances and public interest warrant any firm, partnership or

corporation of, or in which such lobbyist is or becomes a shareholder, owner, member, partner, director or officer be barred from acting as a lobbyist. If it so finds, then such order of debarment shall apply to such firm, partnership or corporation, as well. Any assessment or order to debar pursuant to this section may only be imposed after the commission sends by certified and first-class mail written notice of intent to assess a penalty or order to debar and the basis for the penalty or order to debar. Any assessment may be recovered in an action brought by the attorney general and, if assessed against a firm, partnership or corporation may, if the commission so finds the facts, circumstances and public interest so warrant, notwithstanding any other law to the contrary, be assessed jointly and severally against the shareholders, owners, members, partners, directors and officers of such firm, partnership or corporation.

(ii) In assessing any fine or penalty pursuant to this section, the commission shall consider: (A) as a mitigating factor that the lobbyist, public corporation or client has not previously been required to register, and (B) (1) as an aggravating factor that the lobbyist, public corporation or client has received written notice pursuant to subdivision thirteen of section ninety-four of the executive law of the existence of a possible violation or violations of law, previously entered into a settlement with the commission or had otherwise been the subject of an investigation commenced pursuant to such subdivision, or had fines or penalties assessed against it in the past. The amount of compensation expended, incurred or received shall be a factor to consider in determining a proportionate penalty. (2) For the purposes of this section, where the lobbyist is an individual, past penalties shall include any penalties levied against such lobbyist or levied against any firm, partnership, or corporation of or in which such lobbyist participated in and shared culpability for the acts resulting in such past penalties.

§ 7. Section 1-o of the legislative law is amended by adding a new subdivision (e) to read as follows:

(e) Any lobbyist, public corporation, or client who, knowing that a statement or report made pursuant to this article contains false information, and with intent to defraud the state, offers or presents a statement or report to the commission with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of the commission, shall be guilty of a class E felony, and may be subject to a penalty of the greater of seventy-five thousand dollars, or an amount equal to ten times the value of any compensation or benefit received as a result of the violation. The commission may assess such civil penalties.

§ 8. This act shall take effect immediately; provided however, the provisions of this act shall only be applicable to conduct occurring after this act shall have become a law.

PART T

Section 1. Paragraph (a) of subdivision 8 of section 73 of the public officers law, as amended by chapter 299 of the laws of 1995, subparagraph (iii) as amended and subparagraph (iv) as added by chapter 14 of the laws of 2007, is amended to read as follows:

(a) (i) No person who has served as a state officer or employee shall within a period of [~~two~~] five years after the termination of such service or employment appear or practice before such state agency, register as a lobbyist or engage in lobbying as defined in article one-A

of the legislative law or receive compensation for any services rendered by such former officer or employee on behalf of any person, firm, corporation or association in relation to any case, proceeding or application or other matter before such agency.

(ii) No person who has served as a state officer or employee, who was required to file an annual statement of financial disclosure pursuant to section seventy-three-a of this article, shall after the termination of such service or employment appear, practice, communicate, register as a lobbyist or engage in lobbying as defined in article one-A of the legislative law or otherwise render services before any state agency or receive compensation for any such services rendered by such former officer or employee on behalf of any person, firm, corporation or other entity in relation to any case, proceeding, application or transaction with respect to which such person was directly concerned and in which he or she personally participated during the period of his or her service or employment, or which was under his or her active consideration.

(iii) No person who has served as a member of the legislature who was required to file an annual statement of financial disclosure pursuant to section seventy-three-a of this article shall within a period of [~~two~~] five years after the termination of such service receive compensation for any services on behalf of any person, firm, corporation or association to promote or oppose, directly or indirectly, the passage of bills or resolutions by either house of the legislature, or register as a lobbyist or engage in lobbying as defined in article one-A of the legislative law. No legislative employee, who was required to file an annual statement of financial disclosure pursuant to section seventy-three-a of this article, shall within a period of [~~two~~] five years after the termination of such service receive compensation for any services on behalf of any person, firm, corporation or association to appear, practice or directly communicate before either house of the legislature to promote or oppose the passage of bills or resolutions by either house of the legislature, or register as a lobbyist or engage in lobbying as defined in article one-A of the legislative law.

(iv) No person who has served as an officer or employee in the executive chamber of the governor, who was required to file an annual statement of financial disclosure pursuant to section seventy-three-a of this article, shall within a period of [~~two~~] five years after termination of such service appear or practice before any state agency, or register as a lobbyist or engage in lobbying as defined in article one-A of the legislative law.

§ 2. This act shall take effect on January 1, 2020 and shall only apply to persons leaving state service after the effective date of this act.

PART U

Section 1. Section 107 of the civil service law is amended by adding a new subdivision 4-a to read as follows:

4-a. No officer or employee of a statewide officeholder, a state senator, or a member of the assembly, shall be permitted to volunteer his or her services in furtherance of a campaign for elected office in which the employing elected officeholder is the campaign candidate.

§ 2. This act shall take effect immediately.

PART V

Section 1. Subdivision 1 of section 94 of the executive law, as amended by section 6 of part A of chapter 399 of the laws of 2011, is amended to read as follows:

1. There is established within the department of state a joint commission on public ethics which shall consist of fourteen members and shall have and exercise the powers and duties set forth in this section with respect to statewide elected officials, members of the legislature and employees of the legislature, and state officers and employees, as defined in sections seventy-three and seventy-three-a of the public officers law, candidates for statewide elected office and for the senate or assembly, and the political party chairman as that term is defined in section seventy-three-a of the public officers law, lobbyists and the clients of lobbyists as such terms are defined in article one-A of the legislative law, and individuals who have formerly held such positions, were lobbyists or clients of lobbyists, as such terms are defined in article one-A of the legislative law, or who have formerly been such candidates. **The commission shall also have and exercise the powers set forth in this section with respect to covered municipal officers as such term is defined in section eight hundred ten of the general municipal law, provided, however, that the jurisdiction of the joint commission on public ethics with respect to such covered municipal officers shall be limited to the provisions of this section relating to the filing of accurate annual statements of financial disclosure, and provided, further, if the commission has a reasonable basis to believe that there are ethical or legal issues outside its jurisdiction, but related to the annual statement of financial disclosure, such issues shall be referred to the appropriate body as defined in section eight hundred ten of the general municipal law or the district attorney from the county where the municipal corporation is located.** This section shall not be deemed to have revoked or rescinded any regulations or advisory opinions issued by the legislative ethics commission, the commission on public integrity, the state ethics commission and the temporary lobbying commission in effect upon the effective date of chapter fourteen of the laws of two thousand seven which amended this section to the extent that such regulations or opinions are not inconsistent with any law of the state of New York, but such regulations and opinions shall apply only to matters over which such commissions had jurisdiction at the time such regulations and opinions were promulgated or issued. The commission shall undertake a comprehensive review of all such regulations and opinions, which will address the consistency of such regulations and opinions among each other and with the new statutory language, and of the effectiveness of the existing laws, regulations, guidance and ethics enforcement structure to address the ethics of covered public officials and related parties. Such review shall be conducted with the legislative ethics commission and, to the extent possible, the report's findings shall reflect the full input and deliberations of both commissions after joint consultation. The commission shall, before February first, two thousand fifteen, report to the governor and legislature regarding such review and shall propose any regulatory or statutory changes and issue any advisory opinions necessitated by such review.

§ 2. Subparagraph 1 of paragraph (a) of subdivision 19 of section 94 of the executive law, as amended by section 6 of part A of chapter 399 of the laws of 2011, is amended to read as follows:

(1) the information set forth in an annual statement of financial disclosure filed pursuant to section seventy-three-a of the public officers law **and pursuant to subdivision three of section eight hundred**

eleven and subdivision one of section eight hundred twelve of the general municipal law, except information deleted pursuant to paragraph (h) of subdivision nine of this section;

§ 3. Section 810 of the general municipal law is amended by adding a new subdivision 13 to read as follows:

13. "Covered municipal officer" means (a) any individual elected to serve the government of any municipal corporation who receives compensation of fifty thousand dollars or more annually from such municipal corporation as well as (b) any individual who is either elected or appointed to serve as county executive, county manager, or chair of the county board of supervisors.

§ 4. Section 811 of the general municipal law is amended by adding a new subdivision 3 to read as follows:

3. (a) Notwithstanding any local law, ordinance, or resolution providing for the annual filing of an annual statement of financial disclosure, a covered municipal officer shall be required to file the annual statement of financial disclosure set forth in section seventy-three-a of the public officers law with the joint commission on public ethics, provided, however a covered municipal officer may satisfy the filing requirements of this subdivision by filing a copy of the statement of financial disclosure filed pursuant to paragraph (a) or (a-1) of subdivision one of this section with the joint commission on public ethics on or before the filing deadline provided in section seventy-three-a of the public officers law, if such statement of financial disclosure filed pursuant to paragraph (a) or (a-1) of subdivision one of this section has been authorized by the joint commission on public ethics pursuant to paragraph (b) of this subdivision.

(b) The governing body of each municipal corporation may adopt a resolution to request authorization from the joint commission on public ethics for its covered municipal officers to file with the joint commission on public ethics a copy of the annual statement of financial disclosure filed pursuant to paragraph (a) or (a-1) of subdivision one of this section to satisfy the filing requirements of a covered municipal officer of paragraph (a) of this subdivision. The joint commission on public ethics shall promptly make a determination in response to each request, which shall include an explanation for its determination. If authorization is denied, the municipal corporation may amend its request and resubmit.

(c) The governing body of each municipal corporation may adopt a local law, ordinance, or resolution authorizing its covered municipal officers to satisfy the filing requirements of paragraph (a) or (a-1) of subdivision one of this section by filing a copy of the annual statement of financial disclosure as set forth in section seventy-three-a of the public officers law filed pursuant to paragraph (a) of this subdivision with the appropriate body.

§ 5. Subdivision 1 of section 812 of the general municipal law is amended by adding a new paragraph (j) to read as follows:

(j) A covered municipal officer shall be required to file the annual statement of financial disclosure set forth in section seventy-three-a of the public officers law with the joint commission on public ethics. A covered municipal officer may satisfy the filing requirements of paragraph (a) of this subdivision by filing a copy of the annual statement of financial disclosure filed pursuant to this paragraph with the appropriate body.

§ 6. This act shall take effect January 1, 2021.

PART W

Section 1. Section 1-a of the legislative law, as added by chapter 2 of the laws of 1999, is amended to read as follows:

§ 1-a. Legislative declaration. **(a)** The legislature hereby declares that the operation of responsible democratic government requires that the fullest opportunity be afforded to the people to petition their government for the redress of grievances and to express freely to appropriate officials their opinions on legislation and governmental operations; and that, to preserve and maintain the integrity of the governmental decision-making process in this state, it is necessary that the identity, expenditures and activities of persons and organizations retained, employed or designated to influence the passage or defeat of any legislation by either house of the legislature or the approval, or veto, of any legislation by the governor and attempts to influence the adoption or rejection of any rule or regulation having the force and effect of law or the outcome of any rate making proceeding by a state agency, and the attempts to influence the passage or defeat of any local law, ordinance, or regulation be publicly and regularly disclosed.

(b) Code of Conduct for Lobbyists. To help preserve and advance the principles articulated in subdivision (a) of this section, every lobbyist shall uphold the following minimum standards of professional conduct:

(i) Duty of Honesty and Loyalty:

A lobbyist shall act with honesty, integrity, and in good faith with respect to both his or her clients and to government officials. A lobbyist shall not represent clients with conflicting interests, or interests that appear to be conflicting, without the informed consent, in writing, of all relevant clients. Where such informed consent of a conflict is given by a lobbyist's clients, the lobbyist has a duty to disclose the conflict and the client consent to any government official that the lobbyist interacts with on that matter.

(ii) Duty of Disclosure:

A lobbyist shall inform his or her client of the lobbyist disclosure duties pursuant to the Legislative Law and shall inform their client about his or her duties pursuant to this code of conduct. A lobbyist shall communicate with his or her client to identify, disclose, and resolve any actual or appearances of a conflict of interest. A lobbyist shall inform his or her client if any other person or entity is receiving a direct or indirect referral or consulting fee from the lobbyist due to or in connection with the matter on which the lobbyist has been retained and shall disclose the amount of such fee to his or her client.

(iii) Duty to Provide Accurate Information:

A lobbyist shall not knowingly provide untruthful or deceptive information to a government official or to a client and should endeavor to provide factually correct, current, and accurate information to such persons to the best of their knowledge, information, and belief. A lobbyist shall use reasonable measures to verify the truth of the statements and information that he or she provides both to clients and to government officials. If a lobbyist is aware that information he or she provided to a client or a government official is, or becomes, inaccurate in a significant, relevant, and material way, a lobbyist has a duty to promptly provide any relevant parties with corrected information. A lobbyist shall act in a manner that is respectful to his or her clients and to the government Institutions that he or she interacts with.

(iv) The joint commission on public ethics is authorized to issue regulations to effectuate this section.

§ 2. Subdivisions (c) and (d) of section 1-o of the legislative law, as added by chapter 14 of the laws of 2007, are amended to read as follows:

(c) In addition to any penalty contained in any other provision of law, any lobbyist who knowingly and willfully violates any of the provisions of the lobbyist code of conduct pursuant to section one-a of this article shall be subject to a civil penalty not to exceed twenty-five thousand dollars for the first offense; for any subsequent offense, the lobbyist may be barred from engaging in lobbying activities for a minimum of six months and a maximum of five years.

(d) (i) Any assessment or order to debar shall be determined only after a hearing at which the party shall be entitled to appear, present evidence and be heard. Any assessment or order to debar pursuant to this section may only be imposed after the commission sends by certified and first-class mail written notice of intent to assess a penalty or order to debar and the basis for the penalty or order to debar. Any assessment may be recovered in an action brought by the attorney general.

(ii) In assessing any fine or penalty pursuant to this section, the commission shall consider: (A) as a mitigating factor that the lobbyist, public corporation or client has not previously been required to register, and (B) as an aggravating factor that the lobbyist, public corporation or client has had fines or penalties assessed against it in the past. The amount of compensation expended, incurred or received shall be a factor to consider in determining a proportionate penalty.

(iii) Any lobbyist, public corporation or client who receives a notice of intent to assess a penalty for knowingly and wilfully failing to file a report or statement pursuant to subdivision (b) of this section and who has never previously received a notice of intent to assess a penalty for failing to file a report or statement required under this section shall be granted fifteen days within which to file the statement of registration or report without being subject to the fine or penalty set forth in subdivision (b) of this section. Upon the failure of such lobbyist, public corporation or client to file within such fifteen day period, such lobbyist, public corporation or client shall be subject to a fine or penalty pursuant to subdivision (b) of this section.

[~~(d)~~] (e) All moneys recovered by the attorney general or received by the commission from the assessment of civil penalties authorized by this section shall be deposited to the general fund.

§ 3. This act shall take effect immediately.

PART X

Section 1. Section 5-212 of the election law is REPEALED and a new section 5-212 is added to read as follows:

§ 5-212. Motor vehicle registration. 1. In addition to any other method of voter registration provided for in this article, any qualified person shall be automatically applied for registration and enrollment, or pre-registration and enrollment, as applicable, simultaneously with and upon application for a motor vehicle driver's license, a driver's license renewal, a change of address, or an identification card if such a card is issued by the department of motor vehicles in its normal course of business unless such qualified person declines such application for registration and enrollment at the time of making an application for such a motor vehicle driver's license, driver's license

renewal, a change of address, or an identification card if such card is issued by the department of motor vehicles in its normal course of business.

2. The department of motor vehicles, with the approval of the state board of elections, shall design a form or forms that shall, in addition to eliciting such information as may be required by the department of motor vehicles for a driver's license, a driver's license renewal, a change of address or an identification card, serve as an application for registration and enrollment, or a registration necessitated by a change of residence. Only one signature shall be required to meet the certification and attestation needs of the portion of the form pertaining to the application for a driver's license, a driver's license renewal, a change of address notification or an identification card, and the portion of the form pertaining to voter registration and enrollment. The cost of such forms shall be borne by the department of motor vehicles.

3. The voter registration portion of such form shall:

(a) not require any information that duplicates the information required on the application for the driver's license, change of address, or identification card portion and shall require only such additional information as will enable election officials to assess the applicant's eligibility to register to vote, to prevent duplicate registration, and to administer voter registration and other parts of the election process;

(b) include a statement of the eligibility requirements for voter registration and shall require the applicant to attest by his or her signature that he or she meets those requirements under penalty of perjury unless such applicant declines such registration;

(c) inform the applicant, in print identical to that used in the attestation section of the following:

(i) voter eligibility requirements;

(ii) penalties for submission of false registration application;

(iii) that the office where the applicant registers shall remain confidential and that the voter's information shall be used only for voter registration purposes;

(iv) that if the applicant declines to register, such applicant's declination shall remain confidential and shall be used only for voter registration purposes;

(v) that if an applicant is a victim of domestic violence or stalking, he or she may contact the state board of elections in order to receive information regarding the address confidentiality program for victims of domestic violence under section 5-508 of this article;

(d) include a box for the applicant to check to indicate whether the applicant would like to decline to register to vote along with the statement in prominent type, "IF YOU DO NOT CHECK THIS BOX, AND YOU PROVIDE YOUR SIGNATURE ON THE SPACE PROVIDED BELOW, YOU WILL HAVE ATTESTED TO YOUR ELIGIBILITY TO REGISTER TO VOTE AND YOU WILL HAVE APPLIED TO REGISTER TO VOTE.";

(e) include a space for the applicant to indicate his or her choice of party enrollment, with a clear alternative provided for the applicant to decline to affiliate with any party;

(f) include the statement, "If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private.";

(g) include the statement, "If you believe that someone has interfered with your right to register or decline to register to vote, your right

to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with the state board of elections (address and toll free telephone number).";

(h) include a toll free number at the state board of elections that can be called for answers to registration questions; and

(i) include any other information that is necessary to comply with the requirements of the National Voter Registration Act.

4. The department of motor vehicles shall transmit that portion of the form which constitutes the completed application for registration or change of address form to the appropriate board of elections not later than ten days after receipt except that all such completed applications and forms received by such department between the thirtieth and twenty-fifth day before an election shall be transmitted in such manner and at such time as to assure their receipt by such board of elections not later than the twentieth day before such election. All transmittals shall include signatures. A digital image of a signature shall satisfy this requirement.

5. Completed application forms received by the department of motor vehicles not later than the twenty-fifth day before the next ensuing primary, general, or special election and transmitted by such department to the appropriate board of elections so that they are received not later than the twentieth day before such election shall entitle the applicant to vote in such election provided the board determines that the applicant is otherwise qualified.

6. Disclosure of voter registration information, including a declination to register, by the department of motor vehicles, its agents or its employees, for other than voter registration purposes, shall be deemed an unwarranted invasion of personal privacy pursuant to the provisions of subdivision two of section eighty-nine of the public officers law and shall constitute a violation of this chapter.

7. Application forms shall be processed by the board of elections in the manner prescribed by section 5-210 of this title or, if the applicant is already registered to vote from another address, in the manner prescribed by section 5-208 of this title. The board shall send the appropriate notice of approval or rejection as required by either subdivision nine of section 5-210 or subdivision five of section 5-208, as appropriate.

8. Strict neutrality with respect to a person's party enrollment shall be maintained and all persons seeking voter registration forms and information shall be advised that government services are not conditioned on being registered to vote.

9. No statement shall be made nor any action taken to discourage the applicant from registering to vote.

10. The department of motor vehicles shall provide to each person who chooses to register to vote the same level of assistance provided to persons in connection with the completion of the agency's requisite information, unless such person refuses such assistance.

11. The state board of elections shall adopt such rules and regulations as may be necessary to carry out the requirements of this section. The state board of elections shall also adopt such rules and regulations as may be necessary to require boards of elections and the department of motor vehicles to provide the state board of elections with such information and data as the state board of elections deems necessary to assess compliance with this section and to compile such

statistics as may be required by the United States Election Assistance Commission.

12. The state board of elections shall develop and distribute public information and promotional materials relating to the purposes and implementation of this program.

13. The state board of elections shall prepare and distribute to the department of motor vehicles written instructions as to the implementation of the program and shall be responsible for establishing training programs for employees of the department of motor vehicles involved in such program.

14. The commissioner of motor vehicles shall take all actions that are necessary and proper for the implementation of this section. The commissioner of motor vehicles shall designate one person within the agency as the agency voter registration coordinator who will, under the direction of the state board of elections, be responsible for the voter registration program in such agency.

15. Notwithstanding subdivision six of section 5-210 of this title and any other law to the contrary, a person who is ineligible to vote who fails to decline to register to vote in accordance with the provisions of this section and did not willfully or knowingly seek to register to vote knowing that he or she is not eligible to do so; (a) shall not be guilty of any crime as the result of the applicant's failure to make such declination; (b) shall be deemed to have been registered with official authorization; and (c) such act may not be considered as evidence of a claim to citizenship.

16. Notwithstanding subdivision six of section 5-210 of this title and any other law to the contrary, a person who is ineligible to vote who fails to decline to register to vote in accordance with the provisions of this section, who then either votes or attempts to vote in an election held after the effective date of that person's registration, and who did not willfully or knowingly seek to register to vote knowing that he or she is not eligible to do so, and did not subsequently vote or attempt to vote knowing that he or she is not eligible to do so, (a) shall not be guilty of any crime as the result of the applicant's failure to make such declination and subsequent vote or attempt to vote; (b) shall be deemed to have been registered with official authorization; and (c) such act may not be considered as evidence of a claim to citizenship.

17. Notwithstanding any other law to the contrary, the department of motor vehicles shall not transmit to the board of elections any application for registration or pre-registration for a person that is, by virtue of data maintained by the department, demonstrably ineligible to register or pre-register to vote by reason of age or not being a citizen of the United States.

§ 2. Paragraph (a) of subdivision 2 of section 5-712 of the election law, as amended by chapter 200 of the laws of 1996, is amended to read as follows:

(a) The board of elections shall also send a confirmation notice to every registered voter for whom it receives a notice of change of address to an address not in such city or county [~~which~~] that is not signed by the voter. Such change of address notices shall include, but not be limited to, notices of change of address received pursuant to subdivision eleven of section 5-211 and subdivision [~~six~~] four of section 5-212 of this article, notice of change of address from the United States Postal Service through the National Change of Address System or from any other agency of the federal government or any agency

of any state or local government and notice of a forwarding address on mail sent to a voter by the board of elections and returned by the postal service. Such confirmation notices shall be sent to such new address.

§ 3. Subdivision 5 of section 5-210 of the election law is amended by adding a new paragraph (n) to read as follows:

(n) The form of application required by section 5-212 of this title shall be deemed to meet the requirements of this section.

§ 4. Subdivision 27 of section 1-104 of the election law is amended to read as follows:

27. The term "personal application" means a signed writing [~~which~~] **that** may be delivered by mailing [~~or~~]**,** in person**, or electronically**.

§ 5. This act shall take effect April 1, 2020.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 3. This act shall take effect immediately provided, however, that the applicable effective date of Parts A through X of this act shall be as specifically set forth in the last section of such Parts.