

# STATE OF NEW YORK

498

2019-2020 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 9, 2019

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

AN ACT to amend the election law, in relation to allowing the state board of elections to enter into an agreement with an entity which shall share and process data that relates to the maintenance of the state's voter registration lists and provides regular reports to the state board of elections

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

1 Section 1. The election law is amended by adding a new section 5-616  
2 to read as follows:

3 § 5-616. Statewide voter registration list maintenance. 1. The state  
4 board of elections may enter into an agreement with an entity which  
5 seeks to lessen the burdens of government by facilitating the collab-  
6 oration of state and local government units to conduct research, develop  
7 technology, and perform other charitable and educational activities  
8 designed to reduce the costs and increase the accuracies and efficien-  
9 cies associated with their use of voter registration systems. Such enti-  
10 ty shall provide a service to the state which includes sharing and proc-  
11 essing data that relates to the maintenance of the state's voter  
12 registration lists. In order to ensure the accuracy of such a service,  
13 an entity must, at a minimum, be able to compare the data contained  
14 within the state voter registration list to data provided from one or  
15 more additional state agencies. As part of any agreement entered into as  
16 described in this section, the data shared between state agencies may be  
17 shared with other states as long as the requirement to provide voter  
18 registration data in addition to that from another state government  
19 source is maintained for all states participating in such activity. The  
20 entity must also be able to provide regular reports regarding the

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

LBD05100-01-9

1 results of such data comparison activities to the state on, at least, a  
2 monthly basis.

3 2. (a) Designated state agencies shall enter into a memorandum of  
4 understanding with the state board of elections related to the provision  
5 of information that is necessary to maintain the statewide voter regis-  
6 tration list pursuant to any agreement entered into pursuant to subdivi-  
7 sion one of this section. At a minimum, the memorandum of understanding  
8 shall provide that a designated state agency shall provide necessary  
9 information to maintain the voter registration list upon request by the  
10 state board of elections; provided, however, that a designated state  
11 agency shall not release information that is protected from disclosure  
12 by law.

13 (b) The information transmitted by state agencies pursuant to para-  
14 graph (a) of this subdivision shall include, but need not be limited to:  
15 (1) all name fields; (2) all address fields; (3) driver's license or  
16 state ID number; (4) last four digits of social security number; (5)  
17 date of birth; (6) activity dates as defined by the entity contracted  
18 with pursuant to subdivision one of this section; (7) current record  
19 status; (8) affirmative documentation of citizenship; (9) the title/type  
20 of affirmative documentation of citizenship presented; (10) phone  
21 number; and (11) e-mail address or other electronic contact method.

22 (c) Designated agencies for purposes of this section shall include all  
23 agencies designated as voter registration agencies in sections 5-211 and  
24 5-212 of this article, as well as any other agency designated by the  
25 state board of elections.

26 3. (a) Except as otherwise provided in this chapter, the state board  
27 of elections shall ensure that any information or data provided to it  
28 that is confidential in the possession of the state providing the data  
29 remains confidential while in the possession of the state board. The  
30 state board may provide such otherwise confidential information or data  
31 to persons or organizations that are engaging in legitimate governmental  
32 purposes related to the maintenance of the statewide voter registration  
33 list. Any agreement entered into pursuant to subdivision one of this  
34 section shall ensure that the entity maintain the confidentiality of  
35 information or data provided by the state board to such entity which is  
36 deemed confidential pursuant to this chapter.

37 (b) Information concerning the citizenship status of individuals, when  
38 collected and transmitted pursuant to this subdivision, shall not be  
39 retained, used or shared for any other purpose except as may be required  
40 by law.

41 § 2. This act shall take effect immediately.