

STATE OF NEW YORK

9144

IN ASSEMBLY

January 23, 2020

Introduced by M. of A. BARRETT, O'DONNELL -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to school district voting eligibility

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

1 Section 1. Section 2012 of the education law, as amended by chapter
2 1169 of the laws of 1971, subdivision 2 as amended by chapter 115 of the
3 laws of 1973, subdivision 4 as added by chapter 441 of the laws of 1980,
4 and the closing paragraph as amended by chapter 919 of the laws of 1974,
5 is amended to read as follows:

6 § 2012. Qualifications of voters at district meetings. 1. A person
7 shall be entitled to vote at any school meeting or election for the
8 election of school district officers, and upon all other matters which
9 may be brought before such meeting or election, who is: [~~1. A~~] (i) a
10 citizen of the United States[~~+~~

11 ~~2. Eighteen years of age-~~

12 ~~3. A~~, (ii) eighteen years of age, and (iii) a resident within the
13 district for a period of thirty days next preceding the meeting or
14 election at which [~~he~~] such person offers to vote.

15 [~~4+~~] 2. For the purposes of this section, any person entitled to vote
16 in accordance with section 5-102 of the election law shall be entitled
17 to vote at any school meeting or election in the school district in
18 which they reside, notwithstanding any provision of this article to the
19 contrary.

20 3. No person shall have the right to register for or vote at any
21 school meeting or election who would not be qualified to register for or
22 vote at an election in accordance with the provisions of section 5-106
23 of the election law.

24 No person shall be deemed to be ineligible to vote at any such meeting
25 or election, by reason of sex, who has the other qualifications required
26 by this section; and notwithstanding the foregoing provisions of this
27 section, no Indian eighteen years of age or over who, having been born
28 in the United States to a member of an Indian tribe, or having been

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

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1 naturalized or otherwise acquired citizenship, shall have resided on an
2 Indian reservation in the state for a period of thirty days next preced-
3 ing the meeting or election at which he offers to vote or the spouse of
4 such Indian shall be deemed ineligible to vote at any such meeting or
5 election of the school district where the majority, as determined by the
6 commissioner, of the Indian children of such reservation are being
7 educated under a contract pursuant to subdivision two of section forty-
8 one hundred one of this chapter, except that the parents or guardians of
9 Indian children of such reservation who are being educated in the
10 schools of a district other than the district which educates the majori-
11 ty of such children, shall be eligible to vote only in the district
12 where their children are being so educated.

13 § 2. Section 2018-c of the education law, as added by chapter 775 of
14 the laws of 1990, as renumbered by chapter 509 of the laws of 1991, and
15 subdivision a as amended by chapter 509 of the laws of 1991, is amended
16 to read as follows:

17 § 2018-c. Additional voting procedures. [~~a~~] 1. A school district may
18 require all persons offering to vote at any school district meeting or
19 election for which registration is not required, to provide one form of
20 proof of residency. [~~Such form, to be determined by the school district,~~
21 ~~may~~] Acceptable forms include[~~, but is not limited to, a driver's~~
22 ~~license, a non-driver identification card, a utility bill, or a voter~~
23 ~~registration card~~]: (i) a driver's license or department of motor vehi-
24 cles non-driver photo ID card or other current and valid photo identifi-
25 cation, or (ii) a current utility bill, bank statement, paycheck, voter
26 registration card, government check, or other government document that
27 shows the name and address of the voter. Upon offer of proof of resi-
28 dency, a school district may also require all persons offering to vote
29 to provide their signature, printed name, and address.

30 [~~b~~] 2. As an alternative to voting procedures provided for in section
31 twenty hundred fourteen of this article and subdivision [~~a~~] one of this
32 section, a school district may require all persons offering to vote at
33 any school district meeting or election to provide their signature,
34 printed name, and address.

35 § 3. This act shall take effect immediately.