STATE OF NEW YORK

8998

IN SENATE

September 23, 2020

Introduced by Sen. FUNKE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the election law, in relation to removal of a voter from voting rolls due to death

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

Section 1. The election law is amended by adding a new section 5-714 to read as follows:

§ 5-714. Death of a registered voter. 1. Pursuant to paragraph (e) of subdivision one of section 5-400 of this article, death shall result in the cancellation of a voter's registration. In order to ensure that the name of a voter is removed from the registration roll upon death, the New York State Board of Elections shall review the social security administration death master file on an annual basis, prior to July first of each calendar year. Notification shall be sent to the appropriate local board of elections by July thirtieth of each calendar year, and the local board of elections shall immediately remove the names of all deceased voters from the registration roll.

2. In the event that an individual claims that their name was erroneously removed from the roll, they shall be entitled to cast a vote through an affidavit ballot in the same manner as a voter who is deemed to be inactive. Upon this event, the board of elections shall commence an inquiry to determine whether the name of the voter has in fact been removed from the registration roll due to an error. In the event that an error is found, the affidavit ballot shall be counted and the individual's name shall be reinstated on the registration roll.

§ 2. This act shall take effect immediately.

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

LBD17214-01-0