STATE OF NEW YORK

4322

2021-2022 Regular Sessions

IN ASSEMBLY

February 1, 2021

Introduced by M. of A. WALKER, QUART, COOK -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to qualifications of voters convicted of a felony; and repealing certain provisions of such law relating thereto

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

Section 1. Subdivisions 2, 3, 4 and 5 of section 5-106 of the election law are REPEALED and subdivision 6 is renumbered subdivision 2.

§ 2. Subdivision 1 of section 5-400 of the election law, as amended by chapter 659 of the laws of 1994, paragraph (a) as amended by chapter 3 of the laws of 2019, is amended to read as follows:

1. A voter's registration, including the registration of a voter in inactive status, shall be cancelled if, since the time of his **or her** last registration, he **or she**:

(a) Moved his or her residence outside the state.

(b) [~~Was convicted of a felony disqualifying him from voting pursuant to the provisions of section 5-106 of this article.~~

~~(c)~~] Has been adjudicated an incompetent.

[~~(d)~~] **(c)** Refused to take a challenge oath.

[~~(e)~~] **(d)** Has died.

[~~(f)~~] **(e)** Did not vote in any election conducted by the board of elections during the period ending with the second general election at which candidates for federal office are on the ballot after his **or her** name was placed in inactive status and for whom the board of elections did not, during such period, in any other way, receive any information that such voter still resides in the same county or city.

[~~(g)~~] **(f)** Personally requested to have his **or her** name removed from the list of registered voters.

[~~(h)~~] **(g)** For any other reason, is no longer qualified to vote as provided in this chapter.

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

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§ 3. Subdivision 2 of section 5-708 of the election law is REPEALED and subdivisions 3, 4, 5, 6 and 7, subdivision 3 as renumbered by chapter 659 of the laws of 1994, are renumbered subdivisions 2, 3, 4, 5 and 6.

§ 4. This act shall take effect immediately.