STATE OF NEW YORK

1540

2021-2022 Regular Sessions

IN SENATE

January 12, 2021

Introduced by Sens. TEDISCO, HELMING, ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law and the election law, in relation to prohibiting sex offenders who are on parole and in civil confinement from voting in certain elections

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

Section 1. The executive law is amended by adding a new section 18-a to read as follows:

§ 18-a. Restriction on voting rights. A person who has been convicted of an offense described in article one hundred thirty of the penal law who has been: (i) discharged from imprisonment, by virtue of any parole, conditional pardon or conditional commutation of his or her sentence; and (ii) is committed to civil imprisonment in a hospital or institution shall be prohibited from voting in any election held during the time of his or her confinement to such hospital or institution.

§ 2. Section 5-106 of the election law is amended by adding a new subdivision 4-a to read as follows:

4-a. Notwithstanding the provisions of subdivisions two, three and four of this section, a person who has been convicted of an offense described in article one hundred thirty of the penal law who has been: (i) discharged from imprisonment, by virtue of any parole, conditional pardon or conditional commutation of his or her sentence; and (ii) is committed to civil imprisonment in a hospital or institution shall be prohibited from voting in any election held during the time of his or her confinement to such hospital or institution.

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

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

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