STATE OF NEW YORK

1555--A

Cal. No. 875

2021-2022 Regular Sessions

IN SENATE

January 13, 2021

Introduced by Sens. MYRIE, BIAGGI -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the election law, in relation to the confidentiality of registration records for victims of domestic violence

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

Section 1. Subdivision 2 of section 5-508 of the election law, as amended by chapter 396 of the laws of 2017, is amended to read as follows:

2. **(a) A victim of domestic violence may deliver to the board of elections, in the county wherein such victim of domestic violence is registered or intends to be registered pursuant to this article, in person or by mail, a signed written statement swearing or affirming:**

(i) that such person is the victim of domestic violence; and

(ii) that because of the threat of physical or emotional harm to themself or to family or household members, such person wishes for their registration record to be kept confidential.

(b) Upon application made to the [~~supreme court, county court, or family court, in the county wherein a victim of domestic violence is registered pursuant to this article, the court may issue an order requiring~~] **board of elections pursuant to paragraph (a) of this subdivision, the board of elections shall ensure** that any registration record kept or maintained in accordance with this article and any other records with respect to such [~~an individual~~] **victim of domestic violence** be kept separate and apart from other such records and not be made available for inspection or copying by the public or any other person, except election

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

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officials acting within the course and scope of their official duties and only as pertinent and necessary in connection therewith. **The confidentiality of such registration records shall begin upon the board's acceptance of such sworn statement and continue for four years from such date. A new application may be made prior to the expiration of such four year period.**

§ 2. This act shall take effect immediately.