

# STATE OF NEW YORK

5277

2023-2024 Regular Sessions

## IN ASSEMBLY

March 7, 2023

Introduced by M. of A. FLOOD -- read once and referred to the Committee on Election Law

AN ACT to amend the public health law and the election law, in relation to notifying county boards of elections of an individual's death

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

1 Section 1. Subdivision 3 of section 4140 of the public health law, as  
2 amended by chapter 476 of the laws of 2002, is amended to read as  
3 follows:

4 3. The commissioner and the department of health of the city of New  
5 York shall deliver to the state board of elections[~~, at least monthly~~]  
6 immediately, but no later than seven business days, records in a format  
7 as mutually determined by both agencies, of the names of all persons of  
8 voting age for whom death certificates were issued. Such records shall  
9 be arranged by county of residence and shall include the name, residence  
10 address and birth date of each such person. Upon receipt of such  
11 records, the state board of elections shall provide such information to  
12 each affected county board of elections immediately but no later than  
13 seven business days.

14 § 2. Section 5-400 of the election law is amended by adding a new  
15 subdivision 3 to read as follows:

16 3. Upon notification by the state board of elections of a registered  
17 voter's death pursuant to subdivision three of section forty-one hundred  
18 forty of the public health law, such voter's registration shall be  
19 cancelled and immediately removed from the registration roll.

20 § 3. This act shall take effect immediately.

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

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