

# STATE OF NEW YORK

9732--A

## IN ASSEMBLY

April 3, 2024

Introduced by M. of A. REYES -- read once and referred to the Committee on Election Law -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to providing for automatic voter registration and preregistration for persons applying for certain department of motor vehicles documentation, and for Medicaid enrollees

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

1 Section 1. Subdivision 1, paragraphs (c), (d) and (e) of subdivision 6  
2 and subdivisions 10 and 13 of section 5-900 of the election law, as  
3 amended by chapter 37 of the laws of 2021, are amended to read as  
4 follows:  
5 1. In addition to any other method of voter registration provided for  
6 by this chapter, state and local agencies designated in subdivisions  
7 thirteen and fourteen of this section shall provide to the state board  
8 of elections voter registration qualification information associated  
9 with each person who submits an application for services or assistance  
10 at such agency, including a renewal, recertification, or reexamination  
11 transaction at such agency, and each person who submits a change of  
12 address or name form. [~~For the purposes of the department of motor vehi-~~  
13 ~~cles, "application for services or assistance at such agency" refers~~  
14 ~~only to an application for a motor vehicle driver's license, a driver's~~  
15 ~~license renewal or an identification card if such card is issued by the~~  
16 ~~department of motor vehicles in its normal course of business.] For  
17 purposes of the New York city housing authority "application for  
18 services or assistance at such agency" refers only to applications that  
19 reach an eligibility interview and reexamination transactions. Such  
20 designated agencies shall ensure agency applications substantially  
21 include all of the elements required by section 5-210 of this article,  
22 including the appropriate attestation, so that persons completing such  
23 applications shall be able to also submit an application to register to  
24 vote through the electronic voter registration transmittal system. For  
25 purposes of this section, "agency" shall mean any state or local agency,~~

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

LBD14805-05-4

1 department, division, office, institution or other entity designated in  
2 subdivision thirteen of this section or designated by the governor  
3 pursuant to subdivision fourteen of this section. For purposes of this  
4 section, registration shall also include pre-registration pursuant to  
5 section 5-507 of this article.

6 (c) include a box for the applicant to check to indicate whether the  
7 applicant would like to decline to register to vote along with the  
8 following statement, or its substantial equivalent, in prominent type,  
9 "IF YOU DO NOT CHECK THIS BOX, AND YOU PROVIDE YOUR SIGNATURE ON THE  
10 SPACE BELOW, YOU WILL HAVE APPLIED TO REGISTER OR PRE-REGISTER TO VOTE,  
11 AND YOU WILL HAVE ATTESTED TO YOUR ELIGIBILITY TO REGISTER OR PRE-REGIS-  
12 TER TO VOTE."

13 (d) include the following warning statement, or its substantial equiv-  
14 alent, in prominent type, "IF YOU ARE NOT A CITIZEN OF THE UNITED  
15 STATES, YOU MUST CHECK THE BOX BELOW. NON-CITIZENS WHO REGISTER OR  
16 PRE-REGISTER TO VOTE MAY BE SUBJECT TO CRIMINAL PENALTIES AND SUCH VOTER  
17 REGISTRATION OR PRE-REGISTRATION MAY RESULT IN DEPORTATION OR REMOVAL,  
18 EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR DENIAL OF NATURALIZA-  
19 TION.";

20 (e) include a space for the applicant to indicate the applicant's  
21 choice of party enrollment, with a clear alternative provided for the  
22 applicant to decline to affiliate with any party and the following  
23 statement, or its substantial equivalent, in prominent type "ONLY  
24 ENROLLED MEMBERS OF A POLITICAL PARTY MAY VOTE IN THAT PARTY'S PRIMA-  
25 RIES".

26 10. A voter shall be able to decline to register to vote using an  
27 integrated application by selecting a single check box, or equivalent,  
28 which shall include the following statement, or its substantial equiv-  
29 alent: "I DECLINE USE OF THIS FORM FOR VOTER REGISTRATION AND PRE-REGIS-  
30 TRATION PURPOSES. DO NOT FORWARD MY INFORMATION TO THE BOARD OF  
31 ELECTIONS."

32 13. [~~Beginning January first, two thousand twenty-three, designated~~  
33 ~~agencies for purposes of this section shall include the department of~~  
34 ~~motor vehicles.~~] Beginning January first, two thousand twenty-four,  
35 designated agencies for the purposes of this section shall [~~also~~]  
36 include the department of health, the office of temporary and disability  
37 assistance, the department of labor, the office of adult career and  
38 continuing education services - vocational rehabilitation, county and  
39 city departments of social services, and the New York city housing  
40 authority, as well as any other agency designated by the governor.  
41 Provided that, any transactions with the department of health or county  
42 and city departments of social services involving Medicaid enrollment  
43 shall be processed pursuant to section 5-901-a of this title, in place  
44 of this section. Beginning January first, two thousand twenty-five,  
45 designated agencies for the purposes of this section shall also include  
46 the state university of New York. Each designated agency shall enter  
47 into an agreement with the state board of elections finalizing the  
48 format and content of electronic transmissions required by this section.  
49 The state board of elections shall prepare and distribute to designated  
50 agencies written instructions as to the implementation of the program  
51 and shall be responsible for establishing training programs for employ-  
52 ees of designated agencies listed in this section. Such instructions and  
53 such training shall ensure usability of the integrated application for  
54 low English proficiency voters. Any such designated agency shall take  
55 all actions that are necessary and proper for the implementation of this  
56 section, including facilitating technological capabilities to allow

1 transmission of data through an interface with the electronic voter  
2 registration transmittal system in a secure manner.

3 § 2. The election law is amended by adding a new section 5-901 to read  
4 as follows:

5 § 5-901. Procedures specific to the department of motor vehicles. 1.  
6 Beginning June thirtieth, two thousand twenty-seven, the department of  
7 motor vehicles shall utilize the automatic voter registration procedures  
8 established by this section for each person who submits an application  
9 for a motor vehicle driver's license, a driver's license renewal, or an  
10 identification card, or any renewal, recertification, or reexamination  
11 transaction for such documents, or any change of address or name form  
12 for such documents. Prior to June thirtieth, two thousand twenty-seven,  
13 the department of motor vehicles shall utilize the procedures required  
14 under section 5-900 of this title for such transactions.

15 2. (a) Except as provided in paragraph (c) of this subdivision, where  
16 a person conducts a department of motor vehicles transaction pursuant to  
17 subdivision one of this section and such person has provided documenta-  
18 tion to the department of motor vehicles conclusively demonstrating  
19 United States citizenship and is of sufficient age to register or pre-  
20 register to vote, the department of motor vehicles shall promptly trans-  
21 mit electronically to the state board of elections the following infor-  
22 mation regarding such person:

23 (i) such person's name;  
24 (ii) such person's date of birth;  
25 (iii) such person's driver's license or state ID number;  
26 (iv) such person's residence address, and mailing address if different  
27 from such residence address;  
28 (v) such person's county of residence;  
29 (vi) such person's citizenship status;  
30 (vii) an electronic copy of such person's manual signature that is in  
31 the custody of the department of motor vehicles;  
32 (viii) the date of such person's transaction with the department of  
33 motor vehicles;  
34 (ix) such person's gender, if available;  
35 (x) such person's telephone number, if available; and  
36 (xi) such person's e-mail address, if available.

37 (b) The department of motor vehicles and the state board of elections  
38 shall jointly determine which documents acceptable for transactions  
39 pursuant to subdivision one of this section conclusively demonstrate  
40 United States citizenship.

41 (c) The department of motor vehicles shall not transmit information  
42 pursuant to paragraph (a) of this subdivision for any person who is a  
43 program participant in the address confidentiality program pursuant to  
44 section one hundred eight of the executive law.

45 (d) Upon receiving information pursuant to paragraph (a) of this  
46 subdivision for a person who is not registered to vote in New York state  
47 and who is of sufficient age to register or pre-register to vote, unless  
48 the state board of elections has evidence that such person is a program  
49 participant in the address confidentiality program pursuant to section  
50 one hundred eight of the executive law, the state board of elections  
51 shall electronically forward such information to the board of elections  
52 of the county or the city of the person's residence address for regis-  
53 tration or pre-registration consistent with this chapter.

54 (e) (i) Upon receiving information pursuant to paragraph (d) of this  
55 subdivision, a county or city board of elections shall register or pre-  
56 register the person to vote pursuant to section 5-210 of this article

1 effective as of the date of such person's transaction with the depart-  
2 ment of motor vehicles. The county or city board of elections shall  
3 promptly send to such person's mailing address, by non-forwardable mail,  
4 a notice that such person has been registered to vote, or pre-registered  
5 to vote, if applicable, that contains a postage paid preaddressed return  
6 form by which such person may decline to be registered or pre-regis-  
7 tered. Such notice shall be combined with the notice required pursuant  
8 to subdivision one of section 5-308 of this article and shall also offer  
9 such person the opportunity to enroll with a party. Such notice shall  
10 also include a statement that, if such person declines to register or  
11 pre-register to vote, the fact that such person has declined registra-  
12 tion or pre-registration will remain confidential and will be used only  
13 for election administration purposes, and a statement that, if such  
14 person does not decline registration or pre-registration, the office at  
15 which such person was registered or pre-registered will remain confiden-  
16 tial and will be used only for election administration purposes. Such  
17 notice shall also provide information and procedures for anyone wishing  
18 to prevent disclosure of their residence address, including information  
19 regarding the address confidentiality program for victims of domestic  
20 violence under section 5-508 of this article. The notice required by  
21 this subparagraph may be combined with the notice provided to newly  
22 registered voters pursuant to subdivision nine of section 5-210 of this  
23 article.

24 (ii) Notwithstanding any other provision of this article, a person of  
25 sufficient age to register to vote whose information is transmitted to a  
26 county or city board pursuant to subparagraph (i) of this paragraph  
27 shall be registered to vote for an election if the date of such person's  
28 transaction with the department of motor vehicles pursuant to subdivi-  
29 sion one of this section occurs by the twelfth day before such election  
30 and such person's information is transmitted to the county or city board  
31 by the tenth day before such election. A person whose transaction with  
32 the department of motor vehicles occurs within thirty days of an  
33 election shall be required to affirm before voting that such person has  
34 resided in such person's county, city, or village for at least thirty  
35 days before such election. Such affirmation shall be available at the  
36 time of voting and at the time of requesting an early mail or absentee  
37 ballot. A voter who signs an affirmation pursuant to this subparagraph  
38 shall not be challenged or required to vote an affidavit ballot on the  
39 grounds that such voter signed such affirmation.

40 (f) (i) If a person returns the notice provided under subparagraph (i)  
41 of paragraph (e) of this subdivision and declines to be registered or  
42 pre-registered to vote, such person's registration or pre-registration  
43 shall be canceled, and such person shall be deemed to have not regis-  
44 tered or pre-registered. However, if such person has voted in an  
45 election after the transmission of such person's information but before  
46 the notice is returned, the returned form shall be of no effect and such  
47 person shall remain registered as of the date of such person's trans-  
48 action with the department of motor vehicles. Information relating to  
49 the return of a notice form declining to be registered or pre-registered  
50 shall not be used for any purpose other than election administration.

51 (ii) Notwithstanding subdivision two of section 5-304 of this article,  
52 if a person returns the notice provided under subparagraph (i) of para-  
53 graph (e) of this subdivision and elects to enroll in a party, such  
54 enrollment shall take effect immediately. However, any pre-registrant's  
55 registration shall remain classified as "pending" until the voter  
56 reaches the age of eligibility.

1 (iii) If a person returns the notice provided under subparagraph (i)  
2 of paragraph (e) of this subdivision but does not select any options,  
3 the returned notice shall be of no force and effect, and such person  
4 shall remain registered to vote, or pre-registered to vote, if applica-  
5 ble.

6 3. (a) The department of motor vehicles shall not provide an opportu-  
7 nity to register or pre-register to vote or transmit any information to  
8 the board of elections for purposes of voter registration for any person  
9 who, when conducting a department of motor vehicles transaction pursuant  
10 to subdivision one of this section, provides documentation conclusively  
11 demonstrating that such person is not a United States citizen. The  
12 department of motor vehicles and the state board of elections shall  
13 jointly determine which documents are acceptable for a motor vehicle  
14 driver's license, a driver's license renewal, or an identification card  
15 to conclusively demonstrate that a person is not a United States citi-  
16 zen.

17 (b) For any person who conducts a department of motor vehicles trans-  
18 action pursuant to subdivision one of this section whose information is  
19 not already subject to transmission to the state board of elections  
20 pursuant to paragraph (a) of subdivision two of this section and who  
21 does not provide documentation at the time of such person's transaction  
22 conclusively demonstrating that such person is not a United States citi-  
23 zen, the department of motor vehicles transaction shall provide an inte-  
24 grated voter registration opportunity as part of such transaction. For  
25 purposes of this paragraph, registration shall also include pre-regis-  
26 tration pursuant to section 5-507 of this article.

27 (c) The department shall ensure agency applications pursuant to para-  
28 graph (b) of this subdivision include all of the elements required by  
29 section 5-210 of this article, including the appropriate attestation, so  
30 that persons completing such applications shall be able to also submit  
31 an application to register to vote through the electronic voter regis-  
32 tration transmittal system.

33 (d) The integrated voter registration opportunity shall:

34 (i) include a statement of the eligibility requirements for voter  
35 registration and shall require an applicant to attest that such appli-  
36 cant meets such requirements under penalty of perjury;

37 (ii) inform an applicant, in print identical to that used in the  
38 attestation section, of the following:

39 (A) voter eligibility requirements;

40 (B) penalties for submission of a false registration application;

41 (C) that the office where such applicant applies for registration  
42 shall remain confidential and the voter registration information shall  
43 be used only for voter registration purposes;

44 (D) that if such applicant applies to register to vote electronically,  
45 such applicant thereby consents to the use of an electronic copy of such  
46 applicant's manual signature that is in the custody of the department of  
47 motor vehicles, as such applicant's voter registration exemplar signa-  
48 ture;

49 (E) if such applicant signs the application and affirmatively selects  
50 the voter registration option, such applicant thereby consents to the  
51 use of any information required to complete the voter registration  
52 application; and

53 (F) if such applicant declines to register, such applicant's declina-  
54 tion shall remain confidential and be used only for voter registration  
55 purposes;

1 (iii) require an applicant who attests to the eligibility requirements  
2 for voter registration to either affirmatively select or affirmatively  
3 decline voter registration as a necessary condition to complete the  
4 application pursuant to subdivision one of this section;

5 (iv) include the following warning statement, or its substantial  
6 equivalent, in prominent type, "IF YOU ARE NOT A CITIZEN OF THE UNITED  
7 STATES, DO NOT SELECT THE OPTION TO REGISTER TO VOTE. NON-CITIZENS WHO  
8 REGISTER OR PRE-REGISTER TO VOTE MAY BE SUBJECT TO CRIMINAL PENALTIES  
9 AND SUCH VOTER REGISTRATION OR PRE-REGISTRATION MAY RESULT IN DEPORA-  
10 TION OR REMOVAL, EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR  
11 DENIAL OF NATURALIZATION.";

12 (v) include a space for an applicant to indicate such applicant's  
13 choice of party enrollment, with a clear alternative provided for such  
14 applicant to decline to affiliate with any party and the following  
15 statement, or its substantial equivalent, in prominent type "ONLY  
16 ENROLLED MEMBERS OF A POLITICAL PARTY MAY VOTE IN THAT PARTY'S PRIMA-  
17 RIES."; and

18 (vi) include a statement that if an applicant is a victim of domestic  
19 violence or stalking, such applicant may contact the state board of  
20 elections before or after registering or pre-registering to vote in  
21 order to receive information regarding the address confidentiality  
22 program for victims of domestic violence under section 5-508 of this  
23 article.

24 (e) For each person who completes an application to register to vote  
25 pursuant to paragraph (d) of this subdivision, who attests to the eligi-  
26 bility requirements for voter registration, and affirmatively selects  
27 voter registration pursuant to subparagraph (iii) of paragraph (d) of  
28 this subdivision, the department of motor vehicles shall electronically  
29 transmit to the state board of elections through an interface with the  
30 electronic voter registration transmittal system established and main-  
31 tained by the state board of elections such portion of the application  
32 that includes voter registration information. If such person is not  
33 already registered to vote in New York state, the state board of  
34 elections shall electronically forward such application to the applica-  
35 ble board of elections of each county or the city of New York for regis-  
36 tration consistent with this chapter. The department shall not transmit  
37 to the state board of elections an application for registration for a  
38 person who indicates on the integrated personal voter registration  
39 application that such person does not meet the eligibility requirements  
40 for registration.

41 (f) An integrated voter registration application submitted to the  
42 department of motor vehicles in an electronic format shall be transmit-  
43 ted to the state board of elections through the electronic voter regis-  
44 tration transmittal system and shall include all of the voter registra-  
45 tion data elements, including electronic signature, as applicable, and  
46 record of attestation of the accuracy of the voter registration informa-  
47 tion and any relevant document images.

48 (g) An integrated voter registration form submitted to the department  
49 of motor vehicles in paper format shall be transmitted to the state  
50 board of elections through the electronic voter registration transmittal  
51 system by converting the paper form to an image file or a portable docu-  
52 ment format file which shall thereafter be deemed the original form for  
53 voter registration and enrollment purposes. The department shall retain  
54 the complete original paper application for no less than two years. The  
55 transmittal of the converted paper application may include or be accom-

1 panied by data elements and transmittal information as required by the  
2 rules and regulations of the state board of elections.

3 (h) The department shall redact or remove from the completed inte-  
4 grated application to be transmitted to the state board of elections any  
5 information solely applicable to the agency application.

6 (i) Information from an applicant relevant to both voter registration  
7 and the department application shall be entered by the applicant only  
8 once upon an electronic application.

9 (j) Information concerning the citizenship status of individuals, when  
10 collected and transmitted pursuant to this subdivision, shall not be  
11 retained, used, or shared for any other purpose except as may be  
12 required by law.

13 (k) For each person who attests to the eligibility requirements for  
14 voter registration, but who does not affirmatively select voter regis-  
15 tration pursuant to subparagraph (iii) of paragraph (d) of this subdivi-  
16 sion, the department of motor vehicles shall electronically transmit to  
17 the state board of elections through an interface with the electronic  
18 voter registration transmittal system established and maintained by the  
19 state board of elections such portion of the application that includes  
20 voter registration information with a clear designation that such infor-  
21 mation shall be used only for the purpose of updating existing registra-  
22 tion records.

23 4. (a) If information is received by the state board of elections from  
24 the department of motor vehicles pursuant to paragraph (a) of subdivi-  
25 sion two or paragraph (e) or (k) of subdivision three of this section  
26 for a person who is already registered or pre-registered to vote in New  
27 York state, the state board of elections shall determine whether the  
28 information provided to the department of motor vehicles indicates a  
29 different name, residence address, or mailing address from that on such  
30 person's registration record.

31 (b) If information provided to the department of motor vehicles pursu-  
32 ant to paragraph (a) of subdivision two or paragraph (e) or (k) of  
33 subdivision three of this section indicates a different name, residence  
34 address, or mailing address for a registered or pre-registered voter  
35 from that on such person's registration record, the state board of  
36 elections shall electronically transmit the updated name or address for  
37 such person to the appropriate board of elections for such person's  
38 residence. If such person has changed residence from one county to  
39 another, the state board of elections shall electronically transmit such  
40 information to both the board of the previous county or city of resi-  
41 dence and the new county or city of residence. The board of elections in  
42 such person's county or city of residence shall use the information  
43 transmitted by the board to update such person's existing voter regis-  
44 tration record, transfer the person's registration, if inactive, to  
45 active status, and send to such person's address of record the notice  
46 required under subdivision five of section 5-208 of this article. The  
47 board of elections in any previous county or city of residence shall  
48 update such person's voter registration record to reflect that such  
49 person has moved to a different county.

50 (c) If a person returns the notice required under paragraph (b) of  
51 this subdivision and indicates that the change to such person's regis-  
52 tration record was in error, the appropriate boards of elections,  
53 including the board of the previous county or city of residence, shall  
54 promptly correct such person's previously updated information in the  
55 statewide voter registration list.

1 (d) Any application pursuant to subdivision one of this section shall  
2 inform the applicant that if such applicant is already registered or  
3 pre-registered to vote in New York state, the name, residence address,  
4 and mailing address provided on the application shall be used to update  
5 such person's registration record and that such person shall receive  
6 notice of any update by mail, along with information on how to correct  
7 such update, if needed.

8 5. The state board of elections shall prepare and distribute to the  
9 department of motor vehicles written instructions as to the implementa-  
10 tion of this section and shall be responsible for establishing training  
11 programs for employees of the department of motor vehicles. Such  
12 instructions and such training shall ensure usability of the integrated  
13 application in subdivision three of this section for low-English profi-  
14 ciency voters. The department of motor vehicles shall take all actions  
15 that are necessary and proper for the implementation of this section,  
16 including facilitating technological capabilities to allow transmission  
17 of data through an interface with the electronic voter registration  
18 transmittal system in a secure manner.

19 6. The state board of elections may promulgate rules and regulations  
20 for the administration of this section.

21 7. Nothing in this section shall be construed to require documentary  
22 proof of citizenship for voter registration. Nothing in this section  
23 shall be construed to authorize or require the department of motor vehi-  
24 cles to request documentation establishing an applicant's citizenship  
25 solely for the purposes of voter registration.

26 8. The state board of elections shall publicly release data reports,  
27 as described in this subdivision, on a monthly basis. Such data reports  
28 shall not include any personally identifying information, shall be  
29 subcategorized by gender and age of the individuals included, and shall  
30 include all of the following information:

31 (a) The number of individuals registered to vote or pre-registered to  
32 vote under the procedures in subdivision two of this section.

33 (b) The number of individuals registered to vote or pre-registered to  
34 vote under the procedures in subdivision three of this section.

35 (c) The number of individuals who declined voter registration or pre-  
36 registration under the procedures in subdivision two of this section.

37 (d) The number of individuals who declined voter registration or pre-  
38 registration under the procedures in subdivision three of this section.

39 (e) The number of individuals whose voter registration or pre-regis-  
40 tration was updated pursuant to the procedures in subdivision four of  
41 this section.

42 § 3. The election law is amended by adding a new section 5-901-a to  
43 read as follows:

44 § 5-901-a. Procedures specific to Medicaid enrollment. 1. Subject to  
45 any modifications necessary to comply with applicable federal laws and  
46 regulations including such modifications under subdivision two of this  
47 section, beginning June thirtieth, two thousand twenty-seven, the  
48 department of health and county and city departments of social services  
49 shall automatically and electronically transmit the following informa-  
50 tion to the state board of elections for purposes of voter registration  
51 and pre-registration for each person who applies for or re-enrolls in  
52 Medicaid, who is of sufficient age to register or pre-register to vote,  
53 and who is externally verified as a United States citizen as part of an  
54 application for Medicaid:

55 (a) such person's name;

56 (b) such person's date of birth;



- 1 (c) the last four digits of such person's social security number;  
2 (d) such person's residence address, and mailing address if different  
3 from the residence address;  
4 (e) such person's county of residence;  
5 (f) such person's citizenship status;  
6 (g) an electronic copy of such person's manual signature, if avail-  
7 able;  
8 (h) the date of such person's application or re-enrollment trans-  
9 action;  
10 (i) such person's gender, if available;  
11 (j) such person's telephone number, if available; and  
12 (k) such person's e-mail address, if available.

13 2. If necessary to comply with federal law, before transmitting a  
14 person's information to the state board of elections for purposes of  
15 voter registration pursuant to subdivision one of this section, the  
16 department of health and county and city departments of social services  
17 or their designees shall, within fifteen days of such person's applica-  
18 tion or re-enrollment transaction, notify by mail such person whose data  
19 is subject to transmission pursuant to subdivision one of this section  
20 and provide such person an opportunity to decline transmission. Such  
21 notice shall be sent to such person's mailing address by non-forwardable  
22 mail, notify such person that such person's information will be shared  
23 with election officials for purposes of keeping voter registration  
24 records complete and accurate, and contain a postage paid preaddressed  
25 return form by which such person may decline transmission of such  
26 person's data to the state board of elections. If such person returns  
27 such notice within seventeen days of mailing and declines transmission  
28 of such person's information, such person's information shall not be  
29 transmitted to the state board of elections for purposes of voter regis-  
30 tration. If such person does not return the notice provided under this  
31 subdivision and declines transmission of such person's information with-  
32 in seventeen days of mailing, such person's information shall be trans-  
33 mitted to the state board of elections within three days for purposes of  
34 voter registration.

35 3. In processing information received the department of health and  
36 county and city departments of social services pursuant to subdivision  
37 one of this section, the state board of elections and boards of  
38 elections for each county or the city of New York shall comply with the  
39 requirements established in subdivisions two and four of section 5-901  
40 of this title. Provided that, a person of sufficient age to register to  
41 vote whose information is transmitted to a county or city board pursuant  
42 to this section shall be registered to vote for an election if the  
43 information is transmitted to the county or city board by the tenth day  
44 before such election.

45 4. Prior to June thirtieth, two thousand twenty-seven, the department  
46 of health and county and city departments of social services shall  
47 utilize the procedures required under section 5-900 of this title for  
48 Medicaid enrollment transactions.

49 § 4. Section 5-902 of the election law, as amended by chapter 37 of  
50 the laws of 2021, is amended to read as follows:

51 § 5-902. Failure to receive exemplar signature not to prevent regis-  
52 tration. If a voter registration exemplar signature is not received from  
53 an applicant who submits a voter registration or pre-registration appli-  
54 cation or is otherwise registered or pre-registered to vote pursuant to  
55 this title and such signature exemplar is not otherwise available from  
56 the statewide voter registration database or a state or local agency,

1 the local board of elections shall, absent another reason to reject the  
2 application, proceed to register or pre-register and, as applicable,  
3 enroll the applicant. Within ten days of such action, the board of  
4 elections shall send a standard form promulgated by the state board of  
5 elections to the voter whose record lacks an exemplar signature, requir-  
6 ing such voter to submit a signature for identification purposes. The  
7 voter shall submit to the board of elections a voter registration exemp-  
8 lar signature by any one of the following methods: in person, by mail  
9 with return postage paid provided by the board of elections, by elec-  
10 tronic mail, or by electronic upload to the board of elections through  
11 the electronic voter registration transmittal system. If such voter does  
12 not provide the required exemplar signature, when the voter appears to  
13 vote the voter shall be entitled to vote by affidavit ballot.

14 § 5. The opening paragraphs of subdivisions 1 and 2 of section 5-904  
15 of the election law, as amended by chapter 37 of the laws of 2021, are  
16 amended to read as follows:

17 Notwithstanding subdivision six of section 5-210 of this article or  
18 any other law to the contrary, a person who is ineligible to vote who  
19 fails to decline to register or pre-register to vote in accordance with  
20 the provisions of this [~~section~~] title or who is otherwise registered or  
21 pre-registered to vote in accordance with the provisions of this title,  
22 and who did not willfully and knowingly seek to register or pre-register  
23 to vote knowing that the person is not eligible to do so:

24 Notwithstanding subdivision six of section 5-210 of this article or  
25 any other law to the contrary, a person who is ineligible to vote who  
26 fails to decline to register or pre-register to vote in accordance with  
27 the provisions of this [~~section~~] title or who is otherwise registered or  
28 pre-registered to vote in accordance with the provisions of this title,  
29 and who then either votes or attempts to vote in an election held after  
30 the effective date of that person's registration, and who did not will-  
31 fully and knowingly seek to register or pre-register to vote knowing  
32 that the person is not eligible to do so, and did not subsequently vote  
33 or attempt to vote knowing that the person is not eligible to do so:

34 § 6. Subdivisions 1 and 2 of section 5-308 of the election law, as  
35 amended by chapter 37 of the laws of 2021, are amended to read as  
36 follows:

37 1. The board of elections shall, promptly and not later than twenty-  
38 one days after receipt of a voter registration or pre-registration  
39 application submitted pursuant to title nine of this article by a voter  
40 registering or pre-registering for the first time, send any such voter  
41 who did not enroll in a party a notice and a form to indicate party  
42 enrollment. Such notice shall offer the voter the opportunity to enroll  
43 with a party or to decline to enroll with a party and contain the  
44 following statement in prominent type "ONLY ENROLLED MEMBERS OF A POLI-  
45 TICAL PARTY MAY VOTE IN THAT PARTY'S PRIMARIES." Such form shall provide  
46 a clear alternative for the applicant to decline to affiliate with any  
47 party. If the board of elections has not received a response to the  
48 party enrollment notice and form sent pursuant to this subdivision, or  
49 to a notice sent pursuant to subparagraph (i) of paragraph (e) of subdi-  
50 vision two of section 5-901 of this article within forty-five days of a  
51 person's registration, the board shall mail a second party enrollment  
52 notice and form to such person.

53 2. Notwithstanding subdivision two of section 5-304 of this title, if  
54 a voter who registered to vote for the first time (or pre-registered)  
55 pursuant to title nine of this article responds to either of the  
56 [~~notice~~] notices required by subdivision one of this section and elects

1 to enroll in a party, such enrollment shall take effect immediately.  
2 However, any pre-registrant's registration shall remain classified as  
3 "pending" until the voter reaches the age of eligibility.  
4 § 7. This act shall take effect June 30, 2027.