

STATE OF NEW YORK

1340

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

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

AN ACT to amend the education law and the town law, in relation to clar-
ifying that individuals have the ability to vote by absentee ballot
where their maximum sentence of imprisonment has expired

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

1 Section 1. Paragraph b of subdivision 5 of section 2018-a of the
2 education law, as amended by section 8 of part LL of chapter 56 of the
3 laws of 2010, is amended to read as follows:

4 b. On the reverse side of such envelope shall be printed the following
5 statement:

6 STATEMENT OF ABSENTEE VOTER

7 I do declare that I am a citizen of the United States, and will be at
8 least eighteen years of age, on the date of the school district
9 election; that I will have been a resident of this state and of the
10 school district and school election district, if any, shown on the
11 reverse side of this envelope for thirty days next preceding the said
12 election and duly registered in the school district and school election
13 district, if any, shown on the reverse side of this envelope and that I
14 am or on such date will be, a qualified voter of said school district;
15 that I will be unable to appear personally on the day of said school
16 district election at the polling place of the said district in which I
17 am or will be a qualified voter because of the reason stated on my
18 application heretofore submitted; that I have not qualified, or do I
19 intend to vote, elsewhere than as set forth on the reverse side of this
20 envelope; that I have not received or offered, do not expect to receive,
21 have not paid, offered or promised to pay, contributed, offered or prom-
22 ised to contribute to another to be paid or used, any money or other

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

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1 valuable thing, as a compensation or reward for the giving or withhold-
2 ing of a vote at this school district election, and have not made any
3 promise to influence the giving or withholding of any such votes; that I
4 have not made or become directly or indirectly interested in any bet or
5 wager depending upon the result of this school district election; and
6 that I have not been convicted of bribery or any infamous crime, or, if
7 so convicted, that I have been pardoned or restored to all the rights of
8 a citizen, without restriction as to the right of suffrage, or received
9 a certificate of relief from disabilities or a certificate of good
10 conduct pursuant to article twenty-three of the correction law removing
11 my disability to register and vote or my maximum sentence of imprison-
12 ment has expired or I have been discharged from parole.

13 I hereby declare that the foregoing is a true statement to the best of
14 my knowledge and belief, and I understand that if I make any material
15 false statement in the foregoing statement of absentee voter, I shall be
16 guilty of a misdemeanor.

17 Date.....Signature of Voter

18 § 2. Paragraph b of subdivision 6 of section 2018-b of the education
19 law, as amended by section 9 of part LL of chapter 56 of the laws of
20 2010, is amended to read as follows:

21 b. On the reverse side of such envelope shall be printed the following
22 statement:

23 STATEMENT OF ABSENTEE VOTER

24 I do declare that I am a citizen of the United States, and will be at
25 least eighteen years of age on the date of the school district election;
26 that I will have been a resident of this state and of the school
27 district and school election district, if any, shown on the reverse side
28 of this envelope for thirty days next preceding the said election and
29 that I am or on such date will be, a qualified voter of said school
30 district; that I will be unable to appear personally on the day of said
31 school district election at the polling place of the said district in
32 which I am or will be a qualified voter because of the reason stated on
33 my application heretofore submitted; that I have not qualified, or do I
34 intend to vote, elsewhere than as set forth on the reverse side of this
35 envelope; that I have not received or offered, do not expect to receive,
36 have not paid, offered or promised to pay, contributed, offered or prom-
37 ised to contribute to another to be paid or used, any money or other
38 valuable thing, as a compensation or reward for the giving or withhold-
39 ing of a vote at this school district election, and have not made any
40 promise to influence the giving or withholding of any such votes; that I
41 have not made or become directly or indirectly interested in any bet or
42 wager depending upon the result of this school district election; and
43 that I have not been convicted of bribery or any infamous crime, or, if
44 so convicted, that I have been pardoned or restored to all the rights of
45 a citizen, without restriction as to the right of suffrage, or have
46 received a certificate of relief from disabilities or a certificate of
47 good conduct pursuant to article twenty-three of the correction law
48 removing my disability to vote or my maximum sentence of imprisonment
49 has expired or I have been discharged from parole.

50 I hereby declare that the foregoing is a true statement to the best of
51 my knowledge and belief, and I understand that if I make any material

1 false statement in the foregoing statement of absentee voter, I shall be
2 guilty of a misdemeanor.

3 Date.....Signature of Voter

4 § 3. Paragraph b of subdivision 5 of section 84-a of the town law, as
5 amended by section 10 of part LL of chapter 56 of the laws of 2010, is
6 amended to read as follows:

7 b. On the reverse side of such envelope shall be printed the following
8 statement:

9 STATEMENT OF ABSENTEE VOTER

10 I do declare that I will have been a citizen of the United States for
11 thirty days, and will be at least eighteen years of age, on the date of
12 the special town election; that I will have been a resident of this
13 state and of the town shown on the reverse side of this envelope for
14 thirty days next preceding the said election; that I am or on such date
15 will be, a registered voter of said town; that I will be unable to
16 appear personally on the day of said special town election at the poll-
17 ing place of the election district in which I am or will be a qualified
18 voter because of the reason stated on my application heretofore submit-
19 ted; that I have not qualified, or do I intend to vote, elsewhere than
20 as set forth on the reverse side of this envelope; that I have not
21 received or offered, do not expect to receive, have not paid, offered or
22 promised to pay, contributed, offered or promised to contribute to
23 another to be paid or used, any money or other valuable thing, as a
24 compensation or reward for the giving or withholding of a vote at this
25 special town election, and have not made any promise to influence the
26 giving or withholding of any such votes; that I have not made or become
27 directly or indirectly interested in any bet or wager depending upon the
28 result of this special town election; and that I have not been convicted
29 of bribery or any infamous crime, or, if so convicted, that I have been
30 pardoned or restored to all the rights of a citizen, without restriction
31 as to the right of suffrage, or received a certificate of relief from
32 disabilities or a certificate of good conduct pursuant to article twen-
33 ty-three of the correction law removing my disability to register and
34 vote or my maximum sentence of imprisonment has expired or I have been
35 discharged from parole.

36 I hereby declare that the foregoing is a true statement to the best of
37 my knowledge and belief, and I understand that if I make any material
38 false statement in the foregoing statement of absentee voter, I shall be
39 guilty of a misdemeanor.

40 Date..... Signature of Voter.....

41 § 4. Paragraph b of subdivision 5 of section 175-b of the town law, as
42 amended by section 11 of part LL of chapter 56 of the laws of 2010, is
43 amended to read as follows:

44 b. On the reverse side of such envelope shall be printed the follow-
45 ing statement:

46 STATEMENT OF ABSENTEE VOTER

47 I do declare that I will have been a citizen of the United States for
48 thirty days, and will be at least eighteen years of age, on the date of
49 the district election; that I will have been a resident of this state
50 and of the district if any, shown on the reverse side of this envelope
51 for thirty days next preceding the said election and that I am or on
52 such date will be, a registered voter of said district; that I will be
53 unable to appear personally on the day of said district election at the
54 polling place of the said district in which I am or will be a qualified

1 voter because of the reason stated on my application heretofore submit-
2 ted; that I have not qualified, or do I intend to vote, elsewhere than
3 as set forth on the reverse side of this envelope; that I have not
4 received or offered, do not expect to receive, have not paid, offered or
5 promised to pay, contributed, offered or promised to contribute to
6 another to be paid or used, any money or other valuable thing, as a
7 compensation or reward for the giving or withholding of a vote at this
8 district election, and have not made any promise to influence the giving
9 or withholding of any such votes; that I have not made or become direct-
10 ly or indirectly interested in any bet or wager depending upon the
11 result of this district election; and that I have not been convicted of
12 bribery or any infamous crime, or, if so convicted, that I have been
13 pardoned or restored to all the rights of a citizen, without restriction
14 as to the right of suffrage, or received a certificate of relief from
15 disabilities or a certificate of good conduct pursuant to article twen-
16 ty-three of the correction law removing my disability to register and
17 vote or my maximum sentence of imprisonment has expired or I have been
18 discharged from parole.

19 I hereby declare that the foregoing is a true statement to the best of
20 my knowledge and belief, and I understand that if I make any material
21 false statement in the foregoing statement of absentee voter, I shall be
22 guilty of a misdemeanor.

23 Date.....Signature of Voter.....

24 § 5. Paragraph b of subdivision 5 of section 213-b of the town law, as
25 amended by section 12 of part LL of chapter 56 of the laws of 2010, is
26 amended to read as follows:

27 b. On the reverse side of such envelope shall be printed the follow-
28 ing statement:

29 STATEMENT OF ABSENTEE VOTER

30 I do declare that I will have been a citizen of the United States for
31 thirty days, and will be at least eighteen years of age, on the date of
32 the district election; that I will have been a resident of this state
33 and of the district if any, shown on the reverse side of this envelope
34 for thirty days next preceding the said election and that I am or on
35 such date will be, a registered voter of said district; that I will be
36 unable to appear personally on the day of said district election at the
37 polling place of the said district in which I am or will be a qualified
38 voter because of the reason stated on my application heretofore submit-
39 ted; that I have not qualified, or do I intend to vote, elsewhere than
40 as set forth on the reverse side of this envelope; that I have not
41 received or offered, do not expect to receive, have not paid, offered or
42 promised to pay, contributed, offered or promised to contribute to
43 another to be paid or used, any money or other valuable thing, as a
44 compensation or reward for the giving or withholding of a vote at this
45 district election, and have not made any promise to influence the giving
46 or withholding of any such votes; that I have not made or become direct-
47 ly or indirectly interested in any bet or wager depending upon the
48 result of this district election; and that I have not been convicted of
49 bribery or any infamous crime, or, if so convicted, that I have been
50 pardoned or restored to all the rights of a citizen, without restriction
51 as to the right of suffrage, or received a certificate of relief from
52 disabilities or a certificate of good conduct pursuant to article twen-
53 ty-three of the correction law removing my disability to register and
54 vote or my maximum sentence of imprisonment has expired or I have been
55 discharged from parole.

1 I hereby declare that the foregoing is a true statement to the best of
2 my knowledge and belief, and I understand that if I make any material
3 false statement in the foregoing statement of absentee voter, I shall be
4 guilty of a misdemeanor.

5 Date..... Signature of Voter

6 § 6. This act shall take effect immediately.