STATE OF NEW YORK

3240

2023-2024 Regular Sessions

IN ASSEMBLY

February 2, 2023

Introduced by M. of A. LAVINE -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to enrollment eligibility for election officials in the address confidentiality program

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

Section 1. The opening paragraph of section 108 of the executive law, as separately amended by chapters 222 and 521 of the laws of 2022, is amended to read as follows:

There is created in the office of the secretary of state a program to be known as the "address confidentiality program" to protect victims of domestic violence, victims of human trafficking, victims of kidnapping, victims of a sexual offense, victims of stalking, [~~and~~] reproductive health care services providers, employees, volunteers, patients, or immediate family members of reproductive health care services providers, **and election officers** by authorizing the use of designated addresses for such [~~victims~~] **individuals** and their minor children. The program shall be administered by the secretary of state.

§ 2. Clause (A) of subparagraph (i) of paragraph (a) of subdivision 2 and subdivision 3 of section 108 of the executive law, as separately amended by chapters 222 and 521 of the laws of 2022, are amended to read as follows:

(A) the applicant, or the minor or incapacitated person on whose behalf the application is made, is a victim of domestic violence, victim of human trafficking, victim of kidnapping, victim of a sexual offense, victim of stalking, [~~or~~] a reproductive health care services provider, employee, volunteer, patient, or an immediate family member of a reproductive health care services provider**, or an election officer**;

3. Designation of agencies to assist applicants. The secretary shall designate state, local or nonprofit agencies that provide counseling, referral, shelter or other specialized services to victims of domestic

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

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violence, victims of human trafficking, victims of kidnapping, victims of a sexual offense, victims of stalking, and reproductive health care services providers, employees, volunteers, patients, or immediate family members of reproductive health care services providers to assist persons applying to be program participants. **The secretary shall designate county boards of elections to assist election officers in applying to be program participants.** Such persons providing assistance shall be trained by the secretary. Any assistance and counseling rendered by an officer of the secretary or his or her designees to applicants shall in no way be construed as legal advice.

§ 3. Subdivision 1 of section 108 of the executive law is amended by adding a new paragraph (o) to read as follows:

(o) "Election officer" shall have the same meaning as set forth in section 1-104 of the election law.

§ 4. Clause (B) of subparagraph (i) of paragraph (a) of subdivision 2 of section 108 of the executive law, as amended by chapter 222 of the laws of 2022, is amended to read as follows:

(B) the applicant, or the minor or incapacitated person on whose behalf the application is made, has left his or her residence because of such violence or acts, provided, however, this clause shall not apply if the applicant is a reproductive health care services provider, employee, volunteer, patient, or an immediate family member of a reproductive health care services provider**, or an election officer**;

§ 5. Subparagraph (iv) of paragraph (a) of subdivision 2 of section 108 of the executive law, as amended by chapter 222 of the laws of 2022, is amended to read as follows:

(iv) the actual address or addresses that the applicant requests not be disclosed because of the increased risk of domestic violence, a sexual offense, stalking, physical injury or in the case of reproductive health care services provider, employee, volunteer, patient, or an immediate family member of a reproductive health care services provider**, or an election officer**, other threats of violence; and

§ 6. This act shall take effect immediately.