STATE OF NEW YORK

412

2023-2024 Regular Sessions

IN ASSEMBLY

January 9, 2023

Introduced by M. of A. EPSTEIN, MAMDANI, GONZALEZ-ROJAS, SEAWRIGHT, KELLES, SIMON, MEEKS, JACKSON, FORREST, WEPRIN, WALKER, TAYLOR, CRUZ, GIBBS, BURGOS -- read once and referred to the Committee on Election Law

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to sections 1 and 3 of article 2 of the constitution, in relation to authorizing voting by incarcerated people

Section 1. Resolved (if the Senate concur), That section 1 of article 2 of the constitution be amended to read as follows:

Section 1. Every citizen*, including any incarcerated person in a correctional facility,* shall be entitled to vote at every election for all officers elected by the people and upon all questions submitted to the vote of the people provided that such citizen is eighteen years of age or over and shall have been a resident of this state, and of the county, city, or village for thirty days next preceding an election.

§ 2. Resolved (if the Senate concur), That section 3 of article 2 of the constitution be amended to read as follows:

§ 3. No person who shall receive, accept, or offer to receive, or pay, offer or promise to pay, contribute, offer or promise to contribute to another, to be paid or used, any money or other valuable thing as a compensation or reward for the giving or withholding a vote at an election, or who shall make any promise to influence the giving or withholding any such vote, or who shall make or become directly or indirectly interested in any bet or wager depending upon the result of any election, shall vote at such election; and upon challenge for such cause, the person so challenged, before the officers authorized for that purpose shall receive his or her vote, shall swear or affirm before such officers that he or she has not received or offered, does not expect to receive, has not paid, offered or promised to pay, contributed, offered or promised to contribute to another, to be paid or used, any money or other valuable thing as a compensation or reward for the giving or withholding a vote at such election, and has not made any promise to influ-

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

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ence the giving or withholding of any such vote, nor made or become directly or indirectly interested in any bet or wager depending upon the result of such election. [~~The legislature shall enact laws excluding from the right of suffrage all persons convicted of bribery or of any infamous crime.~~]

§ 3. Resolved (if the Senate concur), That the foregoing amendment be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section 1 of article 19 of the constitution, be published for 3 months previous to the time of such election.