STATE OF NEW YORK

673

2023-2024 Regular Sessions

IN ASSEMBLY

January 11, 2023

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

AN ACT to amend the election law, in relation to enrolling in a party within 10 days of a primary, general or special election; and to repeal subdivision 3 of section 5-304 of the election law relating thereto

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

Section 1. Subdivisions 2, 4 and 5 of section 5-302 of the election law, subdivisions 2 and 5 as amended by chapter 164 of the laws of 1985 and subdivision 4 as amended by chapter 91 of the laws of 1992, are amended to read as follows:

2. If the application form is for a voter who has changed his **or her** enrollment or a voter who has previously registered and not enrolled, then the board of elections shall compare the information and the signature appearing on each application form received with that on the registration poll record of the applicant and if found to correspond in all particulars shall[~~, not earlier than the Tuesday following the next general election and not later than the thirtieth day preceding the last day for publishing enrollment lists, proceed in the manner specified in subdivision one hereof to enter such enrollment on such voter's registration poll card~~] **enroll such voter in the designated party and if the change of enrollment is no later than the tenth day before the next ensuing primary election for the selected party, such voter shall be eligible to vote in the next primary election of the selected party**.

4. Registration poll records of voters whose registrations are not rejected by the board of elections shall forthwith be placed in the poll ledger or such voters' names shall forthwith be entered in the computer files from which the computer generated registration lists are prepared, except that the registration poll record of an otherwise qualified voter who registers after the [~~twenty-fifth~~] **tenth** day before a primary

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

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election shall not be placed in such poll ledger or such voters' names shall not appear on such a computer generated registration list until after such primary and except further that the registration poll record of a voter whose previous registration was cancelled pursuant to the provisions of this chapter after the previous general election and who registers pursuant to the provisions of this chapter after such cancellation shall not be placed in such poll ledger or such voters' names shall not appear on such a computer generated registration list until after the fall primary election, unless such voter has enrolled with the same party as the enrollment on the registration which was so cancelled.

5. During the period preceding the ensuing primary election, the board of elections shall maintain as a public record a list of all enrollments entered, transferred or corrected, and not contained in the last published enrollment list. Such supplemental enrollment list shall contain the same information and shall be distributed in the same manner as the original enrollment list not later than the [~~fifteenth~~] **fifth** day before the primary election.

§ 2. Subdivision 3 of section 5-304 of the election law is REPEALED.

§ 3. Subdivision 2 of section 11-200 of the election law, as amended by chapter 473 of the laws of 1992, is amended to read as follows:

2. Every person registered pursuant to this title shall continue to be eligible to vote in all elections in which special federal voters are eligible to vote except that in order to vote at a primary election of a party, a voter registered pursuant to this title must have been so registered [~~and enrolled~~] in such party before the previous general election; or, if such voter was not registered in New York state for the previous general election, such voter must so register [~~and enroll in such party~~] not later than twenty-five days before such primary; [~~or, if such voter was registered in New York state for the last general election, such voter must have had the same party enrollment with such registration as such voter sets forth on his application for registration and enrollment as a special federal voter~~] **and/or enroll in such party not later than ten days before such primary**.

§ 4. This act shall take effect immediately.