STATE OF NEW YORK

7052

2023-2024 Regular Sessions

IN ASSEMBLY

May 10, 2023

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

AN ACT to amend the election law and the vehicle and traffic law, in relation to joining multistate voter list maintenance organizations

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

Section 1. Legislative findings and intent. A multistate voter list maintenance organization is a coordinating entity between the states that aids them in removing ineligible voters from their voter rolls. The Electronic Registration Information Center (ERIC) is a public charity non-profit membership organization comprising 32 states and the District of Columbia. ERIC's purpose is to assist states in improving the accuracy of America's voter rolls and increasing access to voter registration for all eligible citizens. Keeping voter rolls up to date is a challenge because, every day, voters move or pass away. Voters don't always remember to update their registration. At least every 60 days, each member submits their voter registration data and licensing and identification data from departments of motor vehicles (DMV) to ERIC. ERIC refers to this data as Member Data. ERIC's technical staff uses sophisticated data matching software to compare Member Data from all member states, sometimes with data from other sources, to create the following four "list maintenance" reports. (1) Cross-State Movers Report: Identifies voters who appear to have moved from one ERIC state to another using voter registration data and DMV data; (2) In-State Movers Report: Identifies voters who appear to have moved within the state using voter registration and department of motor vehicle data; (3) Duplicate Report: Identifies voters with duplicate registrations in the same state using voter registration data; and (4) Deceased Report: Identifies voters who have died using voter registration data and Social Security death data known as the Limited Access Death Master File. As the official record of all eligible voters in a state, a state's voter registration rolls are the

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

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foundation of free, fair, and accurate elections. Illegal voting is exceedingly rare but maintaining accurate voter rolls reduces the opportunity for such behavior and it helps build confidence in election outcomes.

§ 2. Article 5 of the election law is amended by adding a new title 10 to read as follows:

TITLE X

MULTISTATE VOTER LIST MAINTENANCE ORGANIZATION MEMBERSHIP AUTHORIZATION

Section 5-1000. Joining a multistate voter list maintenance organization.
5-1001. Designating a member representative.
5-1002. Authorization to share registration records with multistate voter list maintenance organization.

§ 5-1000. Joining a multistate voter list maintenance organization. The co-chairs of the state board of elections may join the state as a member in one or more multistate voter list maintenance organizations including, but not limited to, the electronic registration information center or its successor. The commissioner is authorized to expend funds as available for membership fees, dues and other expenses related to such membership.

§ 5-1001. Designating a member representative. The co-chairs of the state board of elections shall designate a member of the state board of elections as a representative to the board of directors of any multistate voter list maintenance organization that the state is a member of including, but not limited to, the electronic registration information center or its successor.

§ 5-1002. Authorization to share registration records with multistate voter list maintenance organization. 1. Notwithstanding any other provision of law, the member representative designated under section 5-1001 of this title may provide to the multistate voter list maintenance organization that they are a member of the board of directors of the following information from the statewide voter registration list as defined in section 5-614 of this article:

(a) all name fields;

(b) all address fields;

(c) activity dates as defined by the multistate voter list maintenance organization's board of directors;

(d) affirmative documentation of citizenship, provided, however, no documentation shall be sent to any multistate voter list maintenance organization affirming that a person is not a citizen; and

(e) type of documentation of citizenship presented, if any.

2. The member representative designated under section 5-1001 of this title may also provide any information to the multistate voter list maintenance organization provided to such member representative from the department of motor vehicles pursuant to section two hundred nineteen-a of the vehicle and traffic law.

§ 3. The vehicle and traffic law is amended by adding a new section 219-a to read as follows:

§ 219-a. State membership in a multistate voter list maintenance organization. 1. The commissioner is authorized to provide to the state's member representative to a multistate voter list maintenance organization, designated under section 5-1001 of the election law, the following information: (a) all name fields; (b) all address fields; (c) affirmative documentation of citizenship; (d) type of documentation of citizenship presented; (e) DMV ID number; (f) last four digits of the voter's social security number; (g) current record status; (h) phone

number; and (i) e-mail address, provided that the conditions and terms of membership are consistent with the provisions of this chapter and title ten of article five of the election law pertaining to such membership or reciprocal recognition of vehicle registrations.

§ 4. This act shall take effect immediately.