

# STATE OF NEW YORK

2256

2025-2026 Regular Sessions

## IN ASSEMBLY

January 16, 2025

Introduced by M. of A. PAULIN, BURDICK, SIMON -- read once and referred to the Committee on Education

AN ACT to amend the education law and the election law, in relation to extending the right to vote in school district elections to qualified persons who are sixteen years of age; and to repeal certain provisions of the election law relating thereto

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

1 Section 1. Subdivision 2 and the closing paragraph of section 2012 of  
2 the education law, subdivision 2 as amended by chapter 115 of the laws  
3 of 1973, and the closing paragraph as amended by chapter 919 of the laws  
4 of 1974, are amended to read as follows:  
5 2. [~~Eighteen~~] Sixteen years of age.  
6 5. No person shall be deemed to be ineligible to vote at any such  
7 meeting or election, by reason of sex, who has the other qualifications  
8 required by this section; and notwithstanding the foregoing provisions  
9 of this section, no Indian [~~eighteen~~] sixteen years of age or over who,  
10 having been born in the United States to a member of an Indian tribe, or  
11 having been naturalized or otherwise acquired citizenship, shall have  
12 resided on an Indian reservation in the state for a period of thirty  
13 days next preceding the meeting or election at which [~~he~~] such Indian  
14 offers to vote or the spouse of such Indian shall be deemed ineligible  
15 to vote at any such meeting or election of the school district where the  
16 majority, as determined by the commissioner, of the Indian children of  
17 such reservation are being educated under a contract pursuant to subdi-  
18 vision two of section forty-one hundred one of this chapter, except that  
19 the parents or guardians of Indian children of such reservation who are  
20 being educated in the schools of a district other than the district  
21 which educates the majority of such children, shall be eligible to vote  
22 only in the district where their children are being so educated.

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

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1 § 2. Subdivision 2 of section 2603 of the education law, as amended by  
2 chapter 115 of the laws of 1973, is amended to read as follows:

3 2. [~~Eighteen~~ Sixteen years of age.

4 § 3. Paragraph b of subdivision 5 of section 2018-a of the education  
5 law, as amended by section 8 of part LL of section 56 of the laws of  
6 2010, is 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 am a citizen of the United States, and will be at  
11 least [~~eighteen~~ sixteen years of age, on the date of the school  
12 district election; that I will have been a resident of this state and of  
13 the school district and school election district, if any, shown on the  
14 reverse side of this envelope for thirty days next preceding the said  
15 election and duly registered in the school district and school election  
16 district, if any, shown on the reverse side of this envelope and that I  
17 am or on such date will be, a qualified voter of said school district;  
18 that I will be unable to appear personally on the day of said school  
19 district election at the polling place of the said district in which I  
20 am or will be a qualified voter because of the reason stated on my  
21 application heretofore submitted; that I have not qualified, or do I  
22 intend to vote, elsewhere than as set forth on the reverse side of this  
23 envelope; that I have not received or offered, do not expect to receive,  
24 have not paid, offered or promised to pay, contributed, offered or prom-  
25 ised to contribute to another to be paid or used, any money or other  
26 valuable thing, as a compensation or reward for the giving or withhold-  
27 ing of a vote at this school district election, and have not made any  
28 promise to influence the giving or withholding of any such votes; that I  
29 have not made or become directly or indirectly interested in any bet or  
30 wager depending upon the result of this school district election; and  
31 that I have not been convicted of bribery or any infamous crime, or, if  
32 so convicted, that I have been pardoned or restored to all the rights of  
33 a citizen, without restriction as to the right of suffrage, or received  
34 a certificate of relief from disabilities or a certificate of good  
35 conduct pursuant to article twenty-three of the correction law removing  
36 my disability to register and vote.

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

41 Date.....Signature of Voter .....

42 § 4. Subparagraphs 1 and 2 of paragraph a of subdivision 2 of section  
43 2018-b of the education law, as amended by chapter 46 of the laws of  
44 1992, are amended to read as follows:

45 (1) [~~his~~ the applicant's name and residence address, including the  
46 street and number, if any, or town and rural delivery route, if any; (2)  
47 that [~~he~~ the applicant is or will be, on the day of the school district  
48 election, a qualified voter of the school district in which [~~he~~ such  
49 applicant resides in, that [~~he~~ the applicant is or will be, on such  
50 date, over [~~eighteen~~ sixteen years of age, a citizen of the United  
51 States and has or will have resided in the district for thirty days next  
52 preceding such date;

1 § 5. Paragraph b of subdivision 6 of section 2018-b of the education  
2 law, as amended by section 9 of part LL of chapter 56 of the laws of  
3 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~~] sixteen 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 that I am or on such date will be, a qualified voter of  
13 said school district; that I will be unable to appear personally on the  
14 day of said school district election at the polling place of the said  
15 district in which I am or will be a qualified voter because of the  
16 reason stated on my application heretofore submitted; that I have not  
17 qualified, or do I intend to vote, elsewhere than as set forth on the  
18 reverse side of this envelope; that I have not received or offered, do  
19 not expect to receive, have not paid, offered or promised to pay,  
20 contributed, offered or promised to contribute to another to be paid or  
21 used, any money or other valuable thing, as a compensation or reward for  
22 the giving or withholding of a vote at this school district election,  
23 and have not made any promise to influence the giving or withholding of  
24 any such votes; that I have not made or become directly or indirectly  
25 interested in any bet or wager depending upon the result of this school  
26 district election; and that I have not been convicted of bribery or any  
27 infamous crime, or, if so convicted, that I have been pardoned or  
28 restored to all the rights of a citizen, without restriction as to the  
29 right of suffrage, or have received a certificate of relief from disa-  
30 bilities or a certificate of good conduct pursuant to article twenty-  
31 three of the correction law removing my disability to vote.

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

36 Date.....Signature of Voter .....

37 § 6. Subparagraph 2 of paragraph c of subdivision 2 of section 1951 of  
38 the education law, as amended by chapter 919 of the laws of 1974, is  
39 amended to read as follows:

40 (2) [~~Eighteen~~] Sixteen years of age.

41 § 7. Paragraph s of subdivision 2 of section 1951 of the education  
42 law, as added by chapter 722 of the laws of 2005, is amended to read as  
43 follows:

44 s. The board of cooperative educational services shall provide absen-  
45 tee ballots to qualified voters. The commissioner shall adopt regu-  
46 lations for the purposes of implementing the provisions of this para-  
47 graph which shall include, but not be limited to, creating the procedure  
48 for which such absentee ballots shall be submitted; providing that such  
49 absentee ballots shall be, as nearly as practicable, in the same form as  
50 those voted at the district election; requiring that any absentee ballot  
51 applicant is or will be, on the day of the vote, a qualified voter of  
52 the board of cooperative educational services and that [~~he or she~~] such  
53 voter will be on such date over [~~eighteen~~] sixteen years of age, a citi-

1 zen of the United States and has or will have resided in said district  
2 for thirty days next preceding such date; and providing instructions as  
3 to the proper marking thereof.

4 § 8. Subdivision 5 of section 2609 of the education law, as amended by  
5 chapter 919 of the laws of 1974, is amended to read as follows:

6 5. Any qualified voter of a city school district may challenge the  
7 right of a person to vote at the time when [~~he~~] such voter requests a  
8 ballot. All persons named upon the applicable register as having been  
9 challenged prior to the day of the election shall also be challenged  
10 before they are given ballots to vote. The [~~chairman~~] chairperson of the  
11 board of inspectors shall administer to each person so challenged the  
12 following oath: "I do solemnly swear (or affirm) that I am a citizen of  
13 the United States; that I am of the age of [~~eighteen~~] sixteen years or  
14 more; that I have been an inhabitant of the State for the past year, a  
15 resident of the county for the past four months and for the thirty days  
16 past an actual resident of this city school district and am therefore  
17 qualified to vote at this election." If the person challenged so swears  
18 or affirms, [~~he~~] such person shall be permitted to vote at such  
19 election; but if [~~he~~] such person shall refuse to so swear or affirm,  
20 [~~he~~] such person shall not be given a ballot or be permitted to vote.

21 § 9. Section 5-102 of the election law is amended by adding a new  
22 subdivision 4 to read as follows:

23 4. The provisions of subdivision one of this section with respect to  
24 the age requirement for purposes of qualifying to vote shall not apply  
25 to any school district meeting or school district election, and nothing  
26 in this section or any other provision of this chapter shall be  
27 construed to prohibit a person sixteen years of age or older who is  
28 qualified to vote in a school district meeting or school district  
29 election.

30 § 10. Paragraph (g) of subdivision 5 of section 5-210 of the election  
31 law is REPEALED and two new paragraphs (g) and (g-1) are added to read  
32 as follows:

33 (g) Notice that the applicant must be:

34 (i) A citizen of the United States;

35 (ii) At least sixteen years of age at the time the application is  
36 submitted or will be sixteen years of age no later than December thir-  
37 ty-first of the calendar year in which such application is submitted;  
38 and

39 (iii) A resident of the county or city to which such application is  
40 made.

41 (g-1) Notice that such application to register to vote will be effec-  
42 tive:

43 (i) For school district elections occurring on or after the applicant  
44 turns sixteen years of age in the school district in which the applicant  
45 resides; and

46 (ii) For all other federal, state and local elections occurring on or  
47 after the applicant turns eighteen years of age in the applicable  
48 election district in which the applicant resides.

49 § 11. Paragraph p of subdivision 4 of section 5-500 of the election  
50 law is REPEALED and a new paragraph p is added to read as follows:

51 p. A space for pre-registering applicants to respond to the following  
52 questions:

53 (i) "Are you at least 16 years of age or will you be 16 years of age  
54 on or before December 31 of this year?"

55 (ii) "Do you understand that you must be 16 years of age on or before  
56 election day to vote in school district elections or meetings, and that

1 you will be unable to cast a ballot in a school district election until  
2 you are 16 years of age or older at the time of such election, and that  
3 until you are 16 years of age, your application for registration will be  
4 marked "pending", and that after you turn 16 and until you are 18 years  
5 of age, your registration will entitle you to vote only in school  
6 district elections in the school district where you reside?"

7 (iii) "Do you understand that you must be 18 years of age on or before  
8 election day to vote in all other elections, including federal, state  
9 and local elections other than school district elections, and that you  
10 will be unable to cast a ballot in any such federal, state or local  
11 election until you are 18 years of age at the time of such election,  
12 your registration status will be marked "school district only?"

13 § 12. This act shall take effect on the same date as a concurrent  
14 resolution amending the constitution, entitled "CONCURRENT RESOLUTION OF  
15 THE SENATE AND ASSEMBLY proposing amendments to section 1 of article 2  
16 of the constitution, in relation to the voting age in school district  
17 elections".