

# STATE OF NEW YORK

6772

2025-2026 Regular Sessions

## IN ASSEMBLY

March 13, 2025

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

AN ACT to amend the election law, in relation to providing for automatic voter registration and preregistration for persons applying for certain department of motor vehicles documentation, and for Medicaid enrollees

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

1 Section 1. Subdivision 1, paragraphs (c), (d) and (e) of subdivision 6  
2 and subdivisions 10 and 13 of section 5-900 of the election law, as  
3 amended by chapter 37 of the laws of 2021, are amended to read as  
4 follows:

5 1. In addition to any other method of voter registration provided for  
6 by this chapter, state and local agencies designated in subdivisions  
7 thirteen and fourteen of this section shall provide to the state board  
8 of elections voter registration qualification information associated  
9 with each person who submits an application for services or assistance  
10 at such agency, including a renewal, recertification, or reexamination  
11 transaction at such agency, and each person who submits a change of  
12 address or name form. [~~For the purposes of the department of motor vehi-~~  
13 ~~cles, "application for services or assistance at such agency" refers~~  
14 ~~only to an application for a motor vehicle driver's license, a driver's~~  
15 ~~license renewal or an identification card if such card is issued by the~~  
16 ~~department of motor vehicles in its normal course of business.~~] For  
17 purposes of the New York city housing authority "application for  
18 services or assistance at such agency" refers only to applications that  
19 reach an eligibility interview and reexamination transactions. Such  
20 designated agencies shall ensure agency applications substantially  
21 include all of the elements required by section 5-210 of this article,  
22 including the appropriate attestation, so that persons completing such  
23 applications shall be able to also submit an application to register to

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

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1 vote through the electronic voter registration transmittal system. For  
2 purposes of this section, "agency" shall mean any state or local agency,  
3 department, division, office, institution or other entity designated in  
4 subdivision thirteen of this section or designated by the governor  
5 pursuant to subdivision fourteen of this section. For purposes of this  
6 section, registration shall also include pre-registration pursuant to  
7 section 5-507 of this article.

8 (c) include a box for the applicant to check to indicate whether the  
9 applicant would like to decline to register to vote along with the  
10 following statement, or its substantial equivalent, in prominent type,  
11 "IF YOU DO NOT CHECK THIS BOX, AND YOU PROVIDE YOUR SIGNATURE ON THE  
12 SPACE BELOW, YOU WILL HAVE APPLIED TO REGISTER OR PRE-REGISTER TO VOTE,  
13 AND YOU WILL HAVE ATTESTED TO YOUR ELIGIBILITY TO REGISTER OR PRE-REGIS-  
14 TER TO VOTE."

15 (d) include the following warning statement, or its substantial equiv-  
16 alent, in prominent type, "IF YOU ARE NOT A CITIZEN OF THE UNITED  
17 STATES, YOU MUST CHECK THE BOX BELOW. NON-CITIZENS WHO REGISTER OR  
18 PRE-REGISTER TO VOTE MAY BE SUBJECT TO CRIMINAL PENALTIES AND SUCH VOTER  
19 REGISTRATION OR PRE-REGISTRATION MAY RESULT IN DEPORTATION OR REMOVAL,  
20 EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR DENIAL OF NATURALIZA-  
21 TION.";

22 (e) include a space for the applicant to indicate the applicant's  
23 choice of party enrollment, with a clear alternative provided for the  
24 applicant to decline to affiliate with any party and the following  
25 statement, or its substantial equivalent, in prominent type "ONLY  
26 ENROLLED MEMBERS OF A POLITICAL PARTY MAY VOTE IN THAT PARTY'S PRIMA-  
27 RIES".

28 10. A voter shall be able to decline to register to vote using an  
29 integrated application by selecting a single check box, or equivalent,  
30 which shall include the following statement, or its substantial equiv-  
31 alent: "I DECLINE USE OF THIS FORM FOR VOTER REGISTRATION AND PRE-REGIS-  
32 TRATION PURPOSES. DO NOT FORWARD MY INFORMATION TO THE BOARD OF  
33 ELECTIONS."

34 13. [~~Beginning January first, two thousand twenty-three, designated~~  
35 ~~agencies for purposes of this section shall include the department of~~  
36 ~~motor vehicles.~~] Beginning January first, two thousand twenty-four,  
37 designated agencies for the purposes of this section shall [~~also~~]  
38 include the department of health, the office of temporary and disability  
39 assistance, the department of labor, the office of adult career and  
40 continuing education services - vocational rehabilitation, county and  
41 city departments of social services, and the New York city housing  
42 authority, as well as any other agency designated by the governor.  
43 Provided that, any transactions with the department of health or county  
44 and city departments of social services involving Medicaid enrollment  
45 shall be processed pursuant to section 5-901-a of this title, in place  
46 of this section. Beginning January first, two thousand twenty-five,  
47 designated agencies for the purposes of this section shall also include  
48 the state university of New York. Each designated agency shall enter  
49 into an agreement with the state board of elections finalizing the  
50 format and content of electronic transmissions required by this section.  
51 The state board of elections shall prepare and distribute to designated  
52 agencies written instructions as to the implementation of the program  
53 and shall be responsible for establishing training programs for employ-  
54 ees of designated agencies listed in this section. Such instructions and  
55 such training shall ensure usability of the integrated application for  
56 low English proficiency voters. Any such designated agency shall take

1 all actions that are necessary and proper for the implementation of this  
2 section, including facilitating technological capabilities to allow  
3 transmission of data through an interface with the electronic voter  
4 registration transmittal system in a secure manner.

5 § 2. The election law is amended by adding a new section 5-901 to read  
6 as follows:

7 § 5-901. Procedures specific to the department of motor vehicles. 1.  
8 Beginning January first, two thousand twenty-eight, the department of  
9 motor vehicles shall utilize the automatic voter registration procedures  
10 established by this section for each person who conducts any of the  
11 following REAL ID or Enhanced license transactions: an application for  
12 a motor vehicle driver's license or an identification card, or any  
13 renewal, recertification, or reexamination transaction for such docu-  
14 ments, or any change of address or name form for such documents. Prior  
15 to January first, two thousand twenty-eight, the department of motor  
16 vehicles shall utilize the procedures required under section 5-900 of  
17 this title for such transactions. Beginning January first, two thousand  
18 twenty-nine, the department of motor vehicles shall utilize the automat-  
19 ic voter registration procedures established by this section for each  
20 person who conducts any of the following standard license transactions:  
21 an application for a motor vehicle driver's license or an identification  
22 card, or any renewal, recertification, or reexamination transaction for  
23 such documents, or any change of address or name form for such docu-  
24 ments. Prior to January first, two thousand twenty-nine, the department  
25 of motor vehicles shall utilize the procedures required under section  
26 5-900 of this title for such standard license transactions.

27 2. (a) Except as provided in paragraph (c) of this subdivision, where  
28 a person conducts a department of motor vehicles transaction pursuant to  
29 subdivision one of this section and such person has provided documenta-  
30 tion to the department of motor vehicles conclusively demonstrating  
31 United States citizenship and is of sufficient age to register or pre-  
32 register to vote, the department of motor vehicles shall promptly trans-  
33 mit electronically to the state board of elections the following infor-  
34 mation regarding such person:

35 (i) such person's name;  
36 (ii) such person's date of birth;  
37 (iii) such person's driver's license or state ID number;  
38 (iv) such person's residence address, and mailing address if different  
39 from such residence address;  
40 (v) such person's county of residence;  
41 (vi) such person's citizenship status;  
42 (vii) an electronic copy of such person's manual signature that is in  
43 the custody of the department of motor vehicles;  
44 (viii) the date of such person's transaction with the department of  
45 motor vehicles;  
46 (ix) such person's gender, if available;  
47 (x) such person's telephone number, if available; and  
48 (xi) such person's e-mail address, if available.

49 (b) The department of motor vehicles and the state board of elections  
50 shall jointly determine which documents acceptable for transactions  
51 pursuant to subdivision one of this section conclusively demonstrate  
52 United States citizenship.

53 (c) The department of motor vehicles shall not transmit information  
54 pursuant to paragraph (a) of this subdivision for any person who is a  
55 program participant in the address confidentiality program pursuant to  
56 section one hundred eight of the executive law.

1 (d) Upon receiving information pursuant to paragraph (a) of this  
2 subdivision for a person who is not registered to vote in New York state  
3 and who is of sufficient age to register or pre-register to vote, unless  
4 the state board of elections has evidence that such person is a program  
5 participant in the address confidentiality program pursuant to section  
6 one hundred eight of the executive law, the state board of elections  
7 shall electronically forward such information to the board of elections  
8 of the county or the city of the person's residence address for regis-  
9 tration or pre-registration consistent with this chapter.

10 (e) (i) Upon receiving information pursuant to paragraph (d) of this  
11 subdivision, a county or city board of elections shall register or pre-  
12 register the person to vote pursuant to section 5-210 of this article  
13 effective as of the date of such person's transaction with the depart-  
14 ment of motor vehicles. The county or city board of elections shall  
15 promptly send to such person's mailing address, by non-forwardable mail,  
16 a notice that such person has been registered to vote, or pre-registered  
17 to vote, if applicable, that contains a postage paid preaddressed return  
18 form by which such person may decline to be registered or pre-regis-  
19 tered. Such notice shall be combined with the notice required pursuant  
20 to subdivision one of section 5-308 of this article and shall also offer  
21 such person the opportunity to enroll with a party. Such notice shall  
22 also include a statement that, if such person declines to register or  
23 pre-register to vote, the fact that such person has declined registra-  
24 tion or pre-registration will remain confidential and will be used only  
25 for election administration purposes, and a statement that, if such  
26 person does not decline registration or pre-registration, the office at  
27 which such person was registered or pre-registered will remain confiden-  
28 tial and will be used only for election administration purposes. Such  
29 notice shall also provide information and procedures for anyone wishing  
30 to prevent disclosure of their residence address, including information  
31 regarding the address confidentiality program for victims of domestic  
32 violence under section 5-508 of this article. The notice required by  
33 this subparagraph may be combined with the notice provided to newly  
34 registered voters pursuant to subdivision nine of section 5-210 of this  
35 article.

36 (ii) Notwithstanding any other provision of this article, a person of  
37 sufficient age to register to vote whose information is transmitted to a  
38 county or city board pursuant to subparagraph (i) of this paragraph  
39 shall be registered to vote for an election if the date of such person's  
40 transaction with the department of motor vehicles pursuant to subdivi-  
41 sion one of this section occurs by the twelfth day before such election  
42 and such person's information is transmitted to the county or city board  
43 by the tenth day before such election. A person whose transaction with  
44 the department of motor vehicles occurs within thirty days of an  
45 election shall be required to affirm before voting that such person has  
46 resided in such person's county, city, or village for at least thirty  
47 days before such election. Such affirmation shall be available at the  
48 time of voting and at the time of requesting an early mail or absentee  
49 ballot. A voter who signs an affirmation pursuant to this subparagraph  
50 shall not be challenged or required to vote an affidavit ballot on the  
51 grounds that such voter signed such affirmation.

52 (f) (i) If a person returns the notice provided under subparagraph (i)  
53 of paragraph (e) of this subdivision and declines to be registered or  
54 pre-registered to vote, such person's registration or pre-registration  
55 shall be canceled, and such person shall be deemed to have not regis-  
56 tered or pre-registered. However, if such person has voted in an

1 election after the transmission of such person's information but before  
2 the notice is returned, the returned form shall be of no effect and such  
3 person shall remain registered as of the date of such person's trans-  
4 action with the department of motor vehicles. Information relating to  
5 the return of a notice form declining to be registered or pre-registered  
6 shall not be used for any purpose other than election administration.

7 (ii) Notwithstanding subdivision two of section 5-304 of this article,  
8 if a person returns the notice provided under subparagraph (i) of para-  
9 graph (e) of this subdivision and elects to enroll in a party, such  
10 enrollment shall take effect immediately. However, any pre-registrant's  
11 registration shall remain classified as "pending" until the voter  
12 reaches the age of eligibility.

13 (iii) If a person returns the notice provided under subparagraph (i)  
14 of paragraph (e) of this subdivision but does not select any options,  
15 the returned notice shall be of no force and effect, and such person  
16 shall remain registered to vote, or pre-registered to vote, if applica-  
17 ble.

18 3. (a) The department of motor vehicles shall not provide an opportu-  
19 nity to register or pre-register to vote or transmit any information to  
20 the board of elections for purposes of voter registration for any person  
21 who, when conducting a department of motor vehicles transaction pursuant  
22 to subdivision one of this section, provides documentation conclusively  
23 demonstrating that such person is not a United States citizen. The  
24 department of motor vehicles and the state board of elections shall  
25 jointly determine which documents acceptable for transactions pursuant  
26 to subdivision one of this section conclusively demonstrate that a  
27 person is not a United States citizen.

28 (b) For any person who conducts a department of motor vehicles trans-  
29 action pursuant to subdivision one of this section whose information is  
30 not already subject to transmission to the state board of elections  
31 pursuant to paragraph (a) of subdivision two of this section and who  
32 does not provide documentation at the time of such person's transaction  
33 conclusively demonstrating that such person is not a United States citi-  
34 zen, the department of motor vehicles transaction shall provide an inte-  
35 grated voter registration opportunity as part of such transaction. For  
36 purposes of this paragraph, registration shall also include pre-regis-  
37 tration pursuant to section 5-507 of this article.

38 (c) The department shall ensure agency applications pursuant to para-  
39 graph (b) of this subdivision include all of the elements required by  
40 section 5-210 of this article, including the appropriate attestation, so  
41 that persons completing such applications shall be able to also submit  
42 an application to register to vote through the electronic voter regis-  
43 tration transmittal system.

44 (d) The integrated voter registration opportunity shall:

45 (i) include a statement of the eligibility requirements for voter  
46 registration and shall require an applicant to attest that such appli-  
47 cant meets such requirements under penalty of perjury;

48 (ii) inform an applicant, in print identical to that used in the  
49 attestation section, of the following:

50 (A) voter eligibility requirements;

51 (B) penalties for submission of a false registration application;

52 (C) that the office where such applicant applies for registration  
53 shall remain confidential and the voter registration information shall  
54 be used only for voter registration purposes;

55 (D) that if such applicant applies to register to vote electronically,  
56 such applicant thereby consents to the use of an electronic copy of such

1 applicant's manual signature that is in the custody of the department of  
2 motor vehicles, as such applicant's voter registration exemplar signa-  
3 ture;

4 (E) if such applicant signs the application and affirmatively selects  
5 the voter registration option, such applicant thereby consents to the  
6 use of any information required to complete the voter registration  
7 application; and

8 (F) if such applicant declines to register, such applicant's declina-  
9 tion shall remain confidential and be used only for voter registration  
10 purposes;

11 (iii) require an applicant who attests to the eligibility requirements  
12 for voter registration to either affirmatively select or affirmatively  
13 decline voter registration as a necessary condition to complete the  
14 application pursuant to subdivision one of this section;

15 (iv) include the following warning statement, or its substantial  
16 equivalent, in prominent type, "IF YOU ARE NOT A CITIZEN OF THE UNITED  
17 STATES, DO NOT SELECT THE OPTION TO REGISTER TO VOTE. NON-CITIZENS WHO  
18 REGISTER OR PRE-REGISTER TO VOTE MAY BE SUBJECT TO CRIMINAL PENALTIES  
19 AND SUCH VOTER REGISTRATION OR PRE-REGISTRATION MAY RESULT IN DEPORA-  
20 TION OR REMOVAL, EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR  
21 DENIAL OF NATURALIZATION.";

22 (v) include a space for an applicant to indicate such applicant's  
23 choice of party enrollment, with a clear alternative provided for such  
24 applicant to decline to affiliate with any party and the following  
25 statement, or its substantial equivalent, in prominent type "ONLY  
26 ENROLLED MEMBERS OF A POLITICAL PARTY MAY VOTE IN THAT PARTY'S PRIMA-  
27 RIES."; and

28 (vi) include a statement that if an applicant is a victim of domestic  
29 violence or stalking, such applicant may contact the state board of  
30 elections before or after registering or pre-registering to vote in  
31 order to receive information regarding the address confidentiality  
32 program for victims of domestic violence under section 5-508 of this  
33 article.

34 (e) For each person who completes an application to register to vote  
35 pursuant to paragraph (d) of this subdivision, who attests to the eligi-  
36 bility requirements for voter registration, and affirmatively selects  
37 voter registration pursuant to subparagraph (iii) of paragraph (d) of  
38 this subdivision, the department of motor vehicles shall electronically  
39 transmit to the state board of elections through an interface with the  
40 electronic voter registration transmittal system established and main-  
41 tained by the state board of elections such portion of the application  
42 that includes voter registration information. If such person is not  
43 already registered to vote in New York state, the state board of  
44 elections shall electronically forward such application to the applica-  
45 ble board of elections of each county or the city of New York for regis-  
46 tration consistent with this chapter. The department shall not transmit  
47 to the state board of elections an application for registration for a  
48 person who indicates on the integrated personal voter registration  
49 application that such person does not meet the eligibility requirements  
50 for registration.

51 (f) An integrated voter registration application submitted to the  
52 department of motor vehicles in an electronic format shall be transmit-  
53 ted to the state board of elections through the electronic voter regis-  
54 tration transmittal system and shall include all of the voter registra-  
55 tion data elements, including electronic signature, as applicable, and

1 record of attestation of the accuracy of the voter registration informa-  
2 tion and any relevant document images.

3 (g) An integrated voter registration form submitted to the department  
4 of motor vehicles in paper format shall be transmitted to the state  
5 board of elections through the electronic voter registration transmittal  
6 system by converting the paper form to an image file or a portable docu-  
7 ment format file which shall thereafter be deemed the original form for  
8 voter registration and enrollment purposes. The department shall retain  
9 the complete original paper application for no less than two years. The  
10 transmittal of the converted paper application may include or be accom-  
11 panied by data elements and transmittal information as required by the  
12 rules and regulations of the state board of elections.

13 (h) The department shall redact or remove from the completed inte-  
14 grated application to be transmitted to the state board of elections any  
15 information solely applicable to the agency application.

16 (i) Information from an applicant relevant to both voter registration  
17 and the department application shall be entered by the applicant only  
18 once upon an electronic application.

19 (j) Information concerning the citizenship status of individuals, when  
20 collected and transmitted pursuant to this subdivision, shall not be  
21 retained, used, or shared for any other purpose except as may be  
22 required by law.

23 (k) For each person who attests to the eligibility requirements for  
24 voter registration, but who does not affirmatively select voter regis-  
25 tration pursuant to subparagraph (iii) of paragraph (d) of this subdivi-  
26 sion, the department of motor vehicles shall electronically transmit to  
27 the state board of elections through an interface with the electronic  
28 voter registration transmittal system established and maintained by the  
29 state board of elections such portion of the application that includes  
30 voter registration information with a clear designation that such infor-  
31 mation shall be used only for the purpose of updating existing registra-  
32 tion records.

33 4. (a) If information is received by the state board of elections from  
34 the department of motor vehicles pursuant to paragraph (a) of subdivi-  
35 sion two or paragraph (e) or (k) of subdivision three of this section  
36 for a person who is already registered or pre-registered to vote in New  
37 York state, the state board of elections shall determine whether the  
38 information provided to the department of motor vehicles indicates a  
39 different name, residence address, or mailing address from that on such  
40 person's registration record.

41 (b) If information provided to the department of motor vehicles pursu-  
42 ant to paragraph (a) of subdivision two or paragraph (e) or (k) of  
43 subdivision three of this section indicates a different name, residence  
44 address, or mailing address for a registered or pre-registered voter  
45 from that on such person's registration record, the state board of  
46 elections shall electronically transmit the updated name or address for  
47 such person to the appropriate board of elections for such person's  
48 residence. If such person has changed residence from one county to  
49 another, the state board of elections shall electronically transmit such  
50 information to both the board of the previous county or city of resi-  
51 dence and the new county or city of residence. The board of elections in  
52 such person's county or city of residence shall use the information  
53 transmitted by the board to update such person's existing voter regis-  
54 tration record, transfer the person's registration, if inactive, to  
55 active status, and send to such person's address of record the notice  
56 required under subdivision five of section 5-208 of this article. The

1 board of elections in any previous county or city of residence shall  
2 update such person's voter registration record to reflect that such  
3 person has moved to a different county.

4 (c) If a person returns the notice required under paragraph (b) of  
5 this subdivision and indicates that the change to such person's regis-  
6 tration record was in error, the appropriate boards of elections,  
7 including the board of the previous county or city of residence, shall  
8 promptly correct such person's previously updated information in the  
9 statewide voter registration list.

10 (d) Any application pursuant to subdivision one of this section shall  
11 inform the applicant that if such applicant is already registered or  
12 pre-registered to vote in New York state, the name, residence address,  
13 and mailing address provided on the application shall be used to update  
14 such person's registration record and that such person shall receive  
15 notice of any update by mail, along with information on how to correct  
16 such update, if needed.

17 5. The state board of elections shall prepare and distribute to the  
18 department of motor vehicles written instructions as to the implementa-  
19 tion of this section and shall be responsible for establishing training  
20 programs for employees of the department of motor vehicles. Such  
21 instructions and such training shall ensure usability of the integrated  
22 application in subdivision three of this section for low-English profi-  
23 ciency voters. The department of motor vehicles shall take all actions  
24 that are necessary and proper for the implementation of this section,  
25 including facilitating technological capabilities to allow transmission  
26 of data through an interface with the electronic voter registration  
27 transmittal system in a secure manner.

28 6. The state board of elections may promulgate rules and regulations  
29 for the administration of this section.

30 7. Nothing in this section shall be construed to require documentary  
31 proof of citizenship for voter registration. Nothing in this section  
32 shall be construed to authorize or require the department of motor vehi-  
33 cles to request documentation establishing an applicant's citizenship  
34 solely for the purposes of voter registration.

35 8. The state board of elections shall publicly release data reports,  
36 as described in this subdivision, on a monthly basis. Such data reports  
37 shall not include any personally identifying information, shall be  
38 subcategorized by gender and age of the individuals included, and shall  
39 include all of the following information:

40 (a) The number of individuals registered to vote or pre-registered to  
41 vote under the procedures in subdivision two of this section.

42 (b) The number of individuals registered to vote or pre-registered to  
43 vote under the procedures in subdivision three of this section.

44 (c) The number of individuals who declined voter registration or pre-  
45 registration under the procedures in subdivision two of this section.

46 (d) The number of individuals who declined voter registration or pre-  
47 registration under the procedures in subdivision three of this section.

48 (e) The number of individuals whose voter registration or pre-regis-  
49 tration was updated pursuant to the procedures in subdivision four of  
50 this section.

51 § 3. The election law is amended by adding a new section 5-901-a to  
52 read as follows:

53 § 5-901-a. Procedures specific to Medicaid enrollment. 1. Subject to  
54 any modifications necessary to comply with applicable federal laws and  
55 regulations including such modifications under subdivision two of this  
56 section, beginning January first, two thousand twenty-eight, the depart-

1 ment of health and county and city departments of social services shall  
2 automatically and electronically transmit the following information to  
3 the state board of elections for purposes of voter registration and  
4 pre-registration for each person who applies for or re-enrolls in Medi-  
5 caid, who is of sufficient age to register or pre-register to vote, and  
6 who is externally verified as a United States citizen as part of an  
7 application for Medicaid;

8 (a) such person's name;

9 (b) such person's date of birth;

10 (c) the last four digits of such person's social security number;

11 (d) such person's residence address, and mailing address if different  
12 from the residence address;

13 (e) such person's county of residence;

14 (f) such person's citizenship status;

15 (g) an electronic copy of such person's manual signature, if avail-  
16 able;

17 (h) the date of such person's application or re-enrollment trans-  
18 action;

19 (i) such person's gender, if available;

20 (j) such person's telephone number, if available; and

21 (k) such person's e-mail address, if available.

22 2. If necessary to comply with federal law, before transmitting a  
23 person's information to the state board of elections for purposes of  
24 voter registration pursuant to subdivision one of this section, the  
25 department of health and county and city departments of social services  
26 or their designees shall, within fifteen days of such person's applica-  
27 tion or re-enrollment transaction, notify by mail such person whose data  
28 is subject to transmission pursuant to subdivision one of this section  
29 and provide such person an opportunity to decline transmission. Such  
30 notice shall be sent to such person's mailing address by non-forwardable  
31 mail, notify such person that such person's information will be shared  
32 with election officials for purposes of keeping voter registration  
33 records complete and accurate, and contain a postage paid preaddressed  
34 return form by which such person may decline transmission of such  
35 person's data to the state board of elections. If such person returns  
36 such notice within seventeen days of mailing and declines transmission  
37 of such person's information, such person's information shall not be  
38 transmitted to the state board of elections for purposes of voter regis-  
39 tration. If such person does not return the notice provided under this  
40 subdivision and declines transmission of such person's information with-  
41 in seventeen days of mailing, such person's information shall be trans-  
42 mitted to the state board of elections within three days for purposes of  
43 voter registration.

44 3. In processing information received the department of health and  
45 county and city departments of social services pursuant to subdivision  
46 one of this section, the state board of elections and boards of  
47 elections for each county or the city of New York shall comply with the  
48 requirements established in subdivisions two and four of section 5-901  
49 of this title. Provided that, a person of sufficient age to register to  
50 vote whose information is transmitted to a county or city board pursuant  
51 to this section shall be registered to vote for an election if the  
52 information is transmitted to the county or city board by the tenth day  
53 before such election.

54 4. Prior to January first, two thousand twenty-eight, the department  
55 of health and county and city departments of social services shall

1 utilize the procedures required under section 5-900 of this title for  
2 Medicaid enrollment transactions.

3 § 4. Section 5-902 of the election law, as amended by chapter 37 of  
4 the laws of 2021, is amended to read as follows:

5 § 5-902. Failure to receive exemplar signature not to prevent regis-  
6 tration. If a voter registration exemplar signature is not received from  
7 an applicant who submits a voter registration or pre-registration appli-  
8 cation or is otherwise registered or pre-registered to vote pursuant to  
9 this title and such signature exemplar is not otherwise available from  
10 the statewide voter registration database or a state or local agency,  
11 the local board of elections shall, absent another reason to reject the  
12 application, proceed to register or pre-register and, as applicable,  
13 enroll the applicant. Within ten days of such action, the board of  
14 elections shall send a standard form promulgated by the state board of  
15 elections to the voter whose record lacks an exemplar signature, requir-  
16 ing such voter to submit a signature for identification purposes. The  
17 voter shall submit to the board of elections a voter registration exemp-  
18 lar signature by any one of the following methods: in person, by mail  
19 with return postage paid provided by the board of elections, by elec-  
20 tronic mail, or by electronic upload to the board of elections through  
21 the electronic voter registration transmittal system. If such voter does  
22 not provide the required exemplar signature, when the voter appears to  
23 vote the voter shall be entitled to vote by affidavit ballot.

24 § 5. The opening paragraphs of subdivisions 1 and 2 of section 5-904  
25 of the election law, as amended by chapter 37 of the laws of 2021, are  
26 amended to read as follows:

27 Notwithstanding subdivision six of section 5-210 of this article or  
28 any other law to the contrary, a person who is ineligible to vote who  
29 fails to decline to register or pre-register to vote in accordance with  
30 the provisions of this [~~section~~] title or who is otherwise registered or  
31 pre-registered to vote in accordance with the provisions of this title,  
32 and who did not willfully and knowingly seek to register or pre-register  
33 to vote knowing that the person is not eligible to do so:

34 Notwithstanding subdivision six of section 5-210 of this article or  
35 any other law to the contrary, a person who is ineligible to vote who  
36 fails to decline to register or pre-register to vote in accordance with  
37 the provisions of this [~~section~~] title or who is otherwise registered or  
38 pre-registered to vote in accordance with the provisions of this title,  
39 and who then either votes or attempts to vote in an election held after  
40 the effective date of that person's registration, and who did not will-  
41 fully and knowingly seek to register or pre-register to vote knowing  
42 that the person is not eligible to do so, and did not subsequently vote  
43 or attempt to vote knowing that the person is not eligible to do so:

44 § 6. Subdivisions 1 and 2 of section 5-308 of the election law, as  
45 amended by chapter 37 of the laws of 2021, are amended to read as  
46 follows:

47 1. The board of elections shall, promptly and not later than twenty-  
48 one days after receipt of a voter registration or pre-registration  
49 application submitted pursuant to title nine of this article by a voter  
50 registering or pre-registering for the first time, send any such voter  
51 who did not enroll in a party a notice and a form to indicate party  
52 enrollment. Such notice shall offer the voter the opportunity to enroll  
53 with a party or to decline to enroll with a party and contain the  
54 following statement in prominent type "ONLY ENROLLED MEMBERS OF A POLI-  
55 TICAL PARTY MAY VOTE IN THAT PARTY'S PRIMARIES." Such form shall provide  
56 a clear alternative for the applicant to decline to affiliate with any

1 party. If the board of elections has not received a response to the  
2 party enrollment notice and form sent pursuant to this subdivision, or  
3 to a notice sent pursuant to subparagraph (i) of paragraph (e) of subdivi-  
4 vision two of section 5-901 of this article within forty-five days of a  
5 person's registration, the board shall mail a second party enrollment  
6 notice and form to such person.

7 2. Notwithstanding subdivision two of section 5-304 of this title, if  
8 a voter who registered to vote for the first time (or pre-registered)  
9 pursuant to title nine of this article responds to either of the  
10 [~~notice~~] notices required by subdivision one of this section and elects  
11 to enroll in a party, such enrollment shall take effect immediately.  
12 However, any pre-registrant's registration shall remain classified as  
13 "pending" until the voter reaches the age of eligibility.

14 § 7. This act shall take effect January 1, 2028.