STATE OF NEW YORK

9043

2025-2026 Regular Sessions

IN ASSEMBLY

September 5, 2025

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

AN ACT to amend the election law, in relation to voter identification for absentee ballots

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

Section 1. Paragraph (b) of subdivision 3 of section 8-400 of the election law, as amended by chapter 63 of the laws of 2010, is amended to read as follows:

(b) [~~A statement that~~] **(i) The applicant's driver's license or department of motor vehicles non-driver photo ID number. Provided, however, that if** the applicant [~~is a qualified and registered voter~~] **has not been issued a driver's license or ID from the department of motor vehicles, the applicant shall provide the last four digits of their social security number**.

(ii) In the event that an applicant has neither an ID number from the department of motor vehicles nor a social security number, the applicant shall then provide a statement that such applicant is qualified and registered to vote.

§ 2. Section 8-700 of the election law is amended by adding a new subdivision 6-a to read as follows:

6-a. (a) An application for early mail voting shall include the applicant's driver's license or department of motor vehicles non-driver photo ID number. Provided, however, that if the applicant has not been issued a driver's license or non-driver photo ID from the department of motor vehicles, the applicant shall provide the last four digits of their social security number.

(b) In the event that an applicant does not have a driver's license, non-driver photo ID issued by the department of motor vehicles, or a social security number, the applicant shall provide a statement that such applicant is qualified and registered to vote.

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

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§ 3. Subdivision 6 of section 7-122 of the election law, as amended by chapter 411 of the laws of 2019, is amended to read as follows:

6. On the reverse side of such inner affirmation envelope shall be printed the following statement:

AFFIRMATION

I do declare that I am a citizen of the United States, that I am duly registered in the election district shown on the reverse side of this envelope and I am qualified to vote in such district; that I will be unable to appear personally on the day of the election for which this ballot is voted at the polling place of the election district in which I am a qualified voter because of the reason given on my application heretofore submitted; that I have not qualified nor do I intend to vote elsewhere, that I have not committed any act nor am I under any impediment which denies me the right to vote.

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

Date.....20.....

.....

Voter's Driver's ID number
or Last 4 digits of voter's Social Security Number

(If you do not have ID or Social Security Number you must enclose a statement stating that you are qualified and registered to vote in the envelope)

.....
Signature or mark of voter

.....

Signature of Witness
(required only if voter does not sign [~~his or her~~] **their** own name)

.....
Address of Witness

§ 4. Subdivision 6 of section 7-119 of the election law, as added by chapter 481 of the laws of 2023, is amended to read as follows:

6. On the reverse side of such inner affirmation envelope shall be printed the following statement:

AFFIRMATION

I do declare that I am a citizen of the United States, that I am duly registered in the election district shown on the reverse side of this envelope and I am qualified to vote in such district; that I have not qualified nor do I intend to vote elsewhere, that I have not committed any act nor am I under any impediment which denies me the right to vote.

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

Date..... 20.....

.....

Voter's Driver's ID number	.....
or Last 4 digits of voter's	Signature or mark of voter
Social Security Number	.....
(If you do not have	Signature of Witness
ID or Social Security	(required only if voter
Number you must enclose	does not sign their
a statement stating	own name)
that you are qualified	
and registered to vote	
in the envelope)	
	.....
	Address of Witness

§ 5. Section 8-410 of the election law, as amended by chapter 109 of the laws of 2025, is amended to read as follows:

§ 8-410. Absentee voting; method of. The absentee voter shall mark an absentee ballot as provided for paper ballots or ballots prepared for counting by ballot counting machines. Such absentee voter shall make no mark or writing whatsoever upon the ballot, except as above prescribed, and shall see that it bears no such mark or writing. Such absentee voter shall make no mark or writing whatsoever on the outside of the ballot. In cases where the express intent of the voter is unambiguous, any stray marks or writing shall not be a basis for voiding a ballot. After marking the ballot or ballots such absentee voter shall fold each such ballot and enclose them in the envelope and seal the envelope. Such absentee voter shall then take and subscribe the oath on the envelope, with blanks properly filled in**, and provide either their department of motor vehicles ID number or the last four digits of their social security number in the space provided** . **If an absentee voter has not been provided with an ID number for the department of motor vehicles or a social security number, the voter shall then provide a statement that such voter is a qualified and registered voter, enclose it in the ballot envelope, and seal the envelope.** The envelope, containing the ballot or ballots, shall then be mailed or delivered to the board of elections of the county or city of such absentee voter's residence or deposited in a ballot drop box established by the board of elections of the county or city of the voter's residence.

§ 6. Section 8-708 of the election law, as amended by chapter 109 of the laws of 2025, is amended to read as follows:

§ 8-708. Early voting by mail; method of. The early mail voter shall mark an early mail ballot as provided for paper ballots or ballots prepared for counting by ballot counting machines. They shall make no mark or writing whatsoever upon the ballot, except as above prescribed, and shall see that it bears no such mark or writing. They shall make no mark or writing whatsoever on the outside of the ballot. In cases where the express intent of the voter is unambiguous, any stray marks or writing shall not be a basis for voiding a ballot. After marking the ballot or ballots they shall fold each such ballot and enclose them in the envelope and seal the envelope. They shall then take and subscribe the oath on the envelope, with blanks properly filled in**, and provide either their department of motor vehicles ID number or the last four digits of their social security number in the space provided**. **If an absentee voter has not been provided with an ID number for the department of motor vehicles or a social security number, the voter shall then provide**

a statement that such voter is a qualified and registered voter, enclose it in the ballot envelope, and seal the envelope. The envelope, containing the ballot or ballots, shall then be mailed or delivered to the board of elections of the county or city of their residence or deposited in a ballot drop box established by the board of elections of the county or city of the voter's residence.

§ 7. Subdivision 2 of section 9-209 of the election law is amended by adding a new paragraph (i) to read as follows:

(i) If the affirmation envelope for an early mail or absentee ballot does not contain a voter's department of motor vehicles ID number or the last four digits of their social security number, and a statement that such voter is qualified and registered to vote is not enclosed in such envelope, then such early mail or absentee ballot is not valid and must not be cast nor canvassed by the board of canvassers.

§ 8. This act shall take effect January 1, 2027.