

STATE OF NEW YORK

88--A

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. GIANARIS, ADDABBO, CLEARE, FERNANDEZ, GOUNARDES, JACKSON, LIU, PERSAUD, RIVERA, SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- recommitted to the Committee on Elections in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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~~

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

LBD00006-02-5

1 reach an eligibility interview and reexamination transactions. Such
2 designated agencies shall ensure agency applications substantially
3 include all of the elements required by section 5-210 of this article,
4 including the appropriate attestation, so that persons completing such
5 applications shall be able to also submit an application to register to
6 vote through the electronic voter registration transmittal system. For
7 purposes of this section, "agency" shall mean any state or local agency,
8 department, division, office, institution or other entity designated in
9 subdivision thirteen of this section or designated by the governor
10 pursuant to subdivision fourteen of this section. For purposes of this
11 section, registration shall also include pre-registration pursuant to
12 section 5-507 of this article.

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

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

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

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

39 ~~13. [Beginning January first, two thousand twenty-three, designated~~
40 ~~agencies for purposes of this section shall include the department of~~
41 ~~motor vehicles.] Beginning January first, two thousand twenty-four,~~
42 designated agencies for the purposes of this section shall [~~also~~]
43 include the department of health, the office of temporary and disability
44 assistance, the department of labor, the office of adult career and
45 continuing education services - vocational rehabilitation, county and
46 city departments of social services, and the New York city housing
47 authority, as well as any other agency designated by the governor.
48 Provided that, any transactions with the department of health or county
49 and city departments of social services involving Medicaid enrollment
50 shall be processed pursuant to section 5-901-a of this title, in place
51 of this section. Provided further that, beginning January first, two
52 thousand twenty-eight, for applications that reach an eligibility inter-
53 view and reexamination transactions, the New York city housing authority
54 shall use the procedures required pursuant to section 5-901-b of this
55 title in place of the procedures required pursuant to this section.
56 Beginning January first, two thousand twenty-five, designated agencies

1 for the purposes of this section shall also include the state university
2 of New York. Each designated agency shall enter into an agreement with
3 the state board of elections finalizing the format and content of elec-
4 tronic transmissions required by this section. The state board of
5 elections shall prepare and distribute to designated agencies written
6 instructions as to the implementation of the program and shall be
7 responsible for establishing training programs for employees of design-
8 ated agencies listed in this section. Such instructions and such train-
9 ing shall ensure usability of the integrated application for low English
10 proficiency voters. Any such designated agency shall take all actions
11 that are necessary and proper for the implementation of this section,
12 including facilitating technological capabilities to allow transmission
13 of data through an interface with the electronic voter registration
14 transmittal system in a secure manner.

15 § 2. Subdivision 12 of section 5-900 of the election law, as amended
16 by chapter 37 of the laws of 2021, is amended to read as follows:

17 12. No application for voter registration shall be submitted if the
18 applicant declines registration or fails to sign the integrated applica-
19 tion, whether on paper or online. Notwithstanding any other law to the
20 contrary, the department of motor vehicles shall not provide an opportu-
21 nity to register or pre-register to vote to, or transmit an application
22 for registration or pre-registration for, any person who, when conduct-
23 ing a department of motor vehicles transaction pursuant to subdivision
24 one of this section, provides documentation conclusively demonstrating
25 that such person is not a United States citizen. The department of motor
26 vehicles and the state board of elections shall jointly determine which
27 documents acceptable for transactions pursuant to subdivision one of
28 this section conclusively demonstrate that a person is not a United
29 States citizen. Provided further, that no agency designated under this
30 section shall provide an opportunity to register or pre-register to vote
31 to, or transmit an application for registration or pre-registration for,
32 any person who, by virtue of data received by the agency in the ordinary
33 course of its operations, is demonstrably ineligible to register or
34 pre-register to vote by reason of age or not being a citizen of the
35 United States.

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

38 § 5-901. Procedures specific to the department of motor vehicles. 1.
39 Beginning January first, two thousand twenty-eight, the department of
40 motor vehicles shall utilize the automatic voter registration procedures
41 established by this section for each person who conducts any of the
42 following REAL ID or Enhanced license transactions: an application for
43 a motor vehicle driver's license or an identification card, or any
44 renewal, recertification, or reexamination transaction for such docu-
45 ments, or any change of address or name form for such documents. Prior
46 to January first, two thousand twenty-eight, the department of motor
47 vehicles shall utilize the procedures required under section 5-900 of
48 this title for such transactions. Beginning January first, two thousand
49 twenty-nine, the department of motor vehicles shall utilize the automat-
50 ic voter registration procedures established by this section for each
51 person who conducts any of the following standard license transactions:
52 an application for a motor vehicle driver's license or an identification
53 card, or any renewal, recertification, or reexamination transaction for
54 such documents, or any change of address or name form for such docu-
55 ments. Prior to January first, two thousand twenty-nine, the department

1 of motor vehicles shall utilize the procedures required under section
2 5-900 of this title for such standard license transactions.

3 2. (a) Except as provided in paragraph (c) of this subdivision, where
4 a person conducts a department of motor vehicles transaction pursuant to
5 subdivision one of this section and such person has provided documenta-
6 tion to the department of motor vehicles conclusively demonstrating
7 United States citizenship and is of sufficient age to register or pre-
8 register to vote, the department of motor vehicles shall promptly trans-
9 mit electronically to the state board of elections the following infor-
10 mation regarding such person:

11 (i) such person's name;

12 (ii) such person's date of birth;

13 (iii) such person's driver's license or state ID number;

14 (iv) such person's residence address, and mailing address if different
15 from such residence address;

16 (v) such person's county of residence;

17 (vi) such person's citizenship status;

18 (vii) an electronic copy of such person's manual signature that is in
19 the custody of the department of motor vehicles;

20 (viii) the date of such person's transaction with the department of
21 motor vehicles;

22 (ix) such person's gender, if available;

23 (x) such person's telephone number, if available;

24 (xi) such person's e-mail address, if available; and

25 (xii) such person's choice of party enrollment, if affirmatively indi-
26 cated pursuant to paragraph (b) of this subdivision.

27 (b) The department of motor vehicles and the state board of elections
28 shall jointly determine which documents acceptable for transactions
29 pursuant to subdivision one of this section conclusively demonstrate
30 United States citizenship. For a person whose information is subject to
31 transmission pursuant to paragraph (a) of this subdivision, the depart-
32 ment of motor vehicles shall provide an opportunity during the motor
33 vehicle transaction for an applicant to affirmatively indicate the
34 applicant's choice of party enrollment. Provided that, for an applicant
35 who is already registered to vote in New York state who does not affir-
36 matively indicate a choice of party enrollment pursuant to this para-
37 graph, such person's preexisting party affiliation status shall remain
38 unchanged as part of any registration update pursuant to subdivision
39 four of this section.

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

44 (d) Upon receiving information pursuant to paragraph (a) of this
45 subdivision for a person who is not registered to vote in New York state
46 and who is of sufficient age to register or pre-register to vote, unless
47 the state board of elections has evidence that such person is a program
48 participant in the address confidentiality program pursuant to section
49 one hundred eight of the executive law, the state board of elections
50 shall electronically forward such information to the board of elections
51 of the county or the city of the person's residence address for regis-
52 tration or pre-registration consistent with this chapter.

53 (e) (i) Upon receiving information pursuant to paragraph (d) of this
54 subdivision, a county or city board of elections shall register or pre-
55 register the person to vote pursuant to section 5-210 of this article
56 effective as of the date of such person's transaction with the depart-

1 ment of motor vehicles. The county or city board of elections shall
2 promptly send to such person's mailing address, by non-forwardable mail,
3 a notice that such person has been registered to vote, or pre-registered
4 to vote, if applicable, that contains a postage paid preaddressed return
5 form by which such person may decline to be registered or pre-regis-
6 tered. Such notice shall be combined with the notice required pursuant
7 to subdivision one of section 5-308 of this article and, if the person
8 has not indicated a choice of party enrollment pursuant to subparagraph
9 (xii) of paragraph (a) of this subdivision, shall also offer such person
10 the opportunity to enroll with a party. Such notice shall also include a
11 statement that, if such person declines to register or pre-register to
12 vote, the fact that such person has declined registration or pre-regis-
13 tration will remain confidential and will be used only for election
14 administration purposes, and a statement that, if such person does not
15 decline registration or pre-registration, the office at which such
16 person was registered or pre-registered will remain confidential and
17 will be used only for election administration purposes. Such notice
18 shall also provide information and procedures for anyone wishing to
19 prevent disclosure of their residence address, including information
20 regarding the address confidentiality program for victims of domestic
21 violence under section 5-508 of this article. The notice required by
22 this subparagraph may be combined with the notice provided to newly
23 registered voters pursuant to subdivision nine of section 5-210 of this
24 article.

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

41 (f) (i) If a person returns the notice provided under subparagraph (i)
42 of paragraph (e) of this subdivision and declines to be registered or
43 pre-registered to vote, such person's registration or pre-registration
44 shall be canceled, and such person shall be deemed to have not regis-
45 tered or pre-registered. However, if such person has voted in an
46 election after the transmission of such person's information but before
47 the notice is returned, the returned form shall be of no effect and such
48 person shall remain registered as of the date of such person's trans-
49 action with the department of motor vehicles. Information relating to
50 the return of a notice form declining to be registered or pre-registered
51 shall not be used for any purpose other than election administration.

52 (ii) Notwithstanding subdivision three of section 5-304 of this arti-
53 cle, if a person returns the notice provided under subparagraph (i) of
54 paragraph (e) of this subdivision and elects to enroll in a party, such
55 enrollment shall take effect immediately. However, any pre-registrant's

1 registration shall remain classified as "pending" until the voter
2 reaches the age of eligibility.

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

8 3. (a) The department of motor vehicles shall not provide an opportu-
9 nity to register or pre-register to vote or transmit any information to
10 the board of elections for purposes of voter registration for any person
11 who, when conducting a department of motor vehicles transaction pursuant
12 to subdivision one of this section, provides documentation conclusively
13 demonstrating that such person is not a United States citizen. The
14 department of motor vehicles and the state board of elections shall
15 jointly determine which documents acceptable for transactions pursuant
16 to subdivision one of this section conclusively demonstrate that a
17 person is not a United States citizen.

18 (b) For any person who conducts a department of motor vehicles trans-
19 action pursuant to subdivision one of this section whose information is
20 not already subject to transmission to the state board of elections
21 pursuant to paragraph (a) of subdivision two of this section and who
22 does not provide documentation at the time of such person's transaction
23 conclusively demonstrating that such person is not a United States citi-
24 zen, the department of motor vehicles transaction shall provide an inte-
25 grated voter registration opportunity as part of such transaction. For
26 purposes of this paragraph, registration shall also include pre-regis-
27 tration pursuant to section 5-507 of this article.

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

34 (d) The integrated voter registration opportunity shall:

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

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

40 (A) voter eligibility requirements;

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

42 (C) that the office where such applicant applies for registration
43 shall remain confidential and the voter registration information shall
44 be used only for voter registration purposes;

45 (D) that if such applicant applies to register to vote electronically,
46 such applicant thereby consents to the use of an electronic copy of such
47 applicant's manual signature that is in the custody of the department of
48 motor vehicles, as such applicant's voter registration exemplar signa-
49 ture;

50 (E) if such applicant signs the application and affirmatively selects
51 the voter registration option, such applicant thereby consents to the
52 use of any information required to complete the voter registration
53 application; and

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

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

5 (iv) include the following warning statement, or its substantial
6 equivalent, in prominent type, "IF YOU ARE NOT A CITIZEN OF THE UNITED
7 STATES, DO NOT SELECT THE OPTION TO REGISTER TO VOTE. NON-CITIZENS WHO
8 REGISTER OR PRE-REGISTER TO VOTE MAY BE SUBJECT TO CRIMINAL PENALTIES
9 AND SUCH VOTER REGISTRATION OR PRE-REGISTRATION MAY RESULT IN DEPORTA-
10 TION OR REMOVAL, EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR
11 DENIAL OF NATURALIZATION.";

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

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

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

41 (f) An integrated voter registration application submitted to the
42 department of motor vehicles in an electronic format shall be transmit-
43 ted to the state board of elections through the electronic voter regis-
44 tration transmittal system and shall include all of the voter registra-
45 tion data elements, including electronic signature, as applicable, and
46 record of attestation of the accuracy of the voter registration informa-
47 tion and any relevant document images.

48 (g) An integrated voter registration form submitted to the department
49 of motor vehicles in paper format shall be transmitted to the state
50 board of elections through the electronic voter registration transmittal
51 system by converting the paper form to an image file or a portable docu-
52 ment format file which shall thereafter be deemed the original form for
53 voter registration and enrollment purposes. The department shall retain
54 the complete original paper application for no less than two years. The
55 transmittal of the converted paper application may include or be accom-

1 panied by data elements and transmittal information as required by the
2 rules and regulations of the state board of elections.

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

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

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

13 (k) For each person who attests to the eligibility requirements for
14 voter registration, but who does not affirmatively select voter regis-
15 tration pursuant to subparagraph (iii) of paragraph (d) of this subdivi-
16 sion, the department of motor vehicles shall electronically transmit to
17 the state board of elections through an interface with the electronic
18 voter registration transmittal system established and maintained by the
19 state board of elections such portion of the application that includes
20 voter registration information with a clear designation that such infor-
21 mation shall be used only for the purpose of updating existing registra-
22 tion records.

23 4. (a) If information is received by the state board of elections from
24 the department of motor vehicles pursuant to paragraph (a) of subdivi-
25 sion two or paragraph (e) or (k) of subdivision three of this section
26 for a person who is already registered or pre-registered to vote in New
27 York state, the state board of elections shall determine whether the
28 information provided to the department of motor vehicles indicates a
29 different name, residence address, or mailing address from that on such
30 person's registration record.

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

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

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

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

19 6. Subject to compliance with applicable federal and state laws, for a
20 person who applies for an identification card or motor vehicle driver's
21 license as part of such person's release from incarceration, who is of
22 sufficient age to register or pre-register to vote, and who identified a
23 place of residence within the state where the person will reside follow-
24 ing the person's release from incarceration as part of such application,
25 the department of motor vehicles, the department of corrections and
26 community supervision, and the state board of elections shall coordinate
27 to ensure that such a person is provided the voter registration opportu-
28 nities required by this section as part of such application. Provided
29 that, an incarcerated person convicted of a felony who is otherwise
30 eligible to register to vote shall not be registered to vote pursuant to
31 this section until the person is released from incarceration and
32 restored to eligibility, and the department of motor vehicles, the
33 department of corrections and community supervision, and the state board
34 of elections shall coordinate to ensure that any registration informa-
35 tion provided pursuant to this section is processed only upon the
36 person's release from incarceration. The department of motor vehicles
37 and the state board of elections shall modify the procedures and notices
38 required by this section to reflect that a person convicted of a felony
39 will not be registered to vote until the person's release from incarcer-
40 ation and to allow a person provided a registration opportunity pursuant
41 to subsection three of this section to attest to their eligibility pend-
42 ing release from incarceration.

43 7. The state board of elections may promulgate rules and regulations
44 for the administration of this section.

45 8. Nothing in this section shall be construed to require documentary
46 proof of citizenship for voter registration. Nothing in this section
47 shall be construed to authorize or require the department of motor vehi-
48 cles to request documentation establishing an applicant's citizenship
49 solely for the purposes of voter registration.

50 9. The state board of elections shall publicly release data reports,
51 as described in this subdivision, on a monthly basis. Such data reports
52 shall not include any personally identifying information, shall be
53 subcategorized by gender and age of the individuals included, and shall
54 include all of the following information:

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

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

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

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

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

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

12 § 5-901-a. Procedures specific to Medicaid enrollment. 1. Subject to
13 any modifications necessary to comply with applicable federal laws and
14 regulations including such modifications under subdivision two of this
15 section, beginning January first, two thousand twenty-eight, the depart-
16 ment of health and county and city departments of social services shall
17 automatically and electronically transmit the following information to
18 the state board of elections for purposes of voter registration and
19 pre-registration for each person who applies for or re-enrolls in Medi-
20 caid, who is of sufficient age to register or pre-register to vote, and
21 who is externally verified as a United States citizen as part of an
22 application for Medicaid:

23 (a) such person's name;

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

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

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

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

29 (f) such person's citizenship status;

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

32 (h) the date of such person's application or reenrollment transaction;

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

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

35 (k) such person's e-mail address, if available; and

36 (l) such person's choice of party enrollment, if indicated pursuant to
37 subdivision two of this section.

38 2. A person whose information is subject to transmission pursuant to
39 subdivision one of this section shall be provided an opportunity to
40 affirmatively indicate a choice of party enrollment prior to trans-
41 mission of the person's information to the state board of elections.
42 Provided that, for an applicant who is already registered to vote in New
43 York state who does not affirmatively indicate a party enrollment
44 selection pursuant to this subdivision, such person's preexisting party
45 affiliation status shall remain unchanged as part of any update to the
46 person's registration pursuant to this section.

47 3. If necessary to comply with federal law, before transmitting a
48 person's information to the state board of elections for purposes of
49 voter registration pursuant to subdivision one of this section, the
50 department of health and county and city departments of social services
51 or their designees shall, within fifteen days of such person's applica-
52 tion or re-enrollment transaction, notify by mail such person whose data
53 is subject to transmission pursuant to subdivision one of this section
54 and provide such person an opportunity to decline transmission. Such
55 notice shall be sent to such person's mailing address by non-forwardable
56 mail, notify such person that such person's information will be shared

1 with election officials for purposes of keeping voter registration
2 records complete and accurate, and contain a postage paid preaddressed
3 return form by which such person may decline transmission of such
4 person's data to the state board of elections. If such person returns
5 such notice within seventeen days of mailing and declines transmission
6 of such person's information, such person's information shall not be
7 transmitted to the state board of elections for purposes of voter regis-
8 tration. If such person does not return the notice provided under this
9 subdivision and declines transmission of such person's information with-
10 in seventeen days of mailing, such person's information shall be trans-
11 mitted to the state board of elections within three days for purposes of
12 voter registration.

13 4. In processing information received the department of health and
14 county and city departments of social services pursuant to subdivision
15 one of this section, the state board of elections and boards of
16 elections for each county or the city of New York shall comply with the
17 requirements established in subdivisions two and four of section 5-901
18 of this title. Provided that, a person of sufficient age to register to
19 vote whose information is transmitted to a county or city board pursuant
20 to this section shall be registered to vote for an election if the
21 information is transmitted to the county or city board by the tenth day
22 before such election.

23 5. Prior to January first, two thousand twenty-eight, the department
24 of health and county and city departments of social services shall
25 utilize the procedures required under section 5-900 of this title for
26 Medicaid enrollment transactions.

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

29 § 5-901-b. Procedures specific to New York city housing authority
30 applications. 1. Subject to any modifications necessary to comply with
31 applicable federal laws and regulations including such modifications
32 under subdivision two of this section, beginning January first, two
33 thousand twenty-eight, the New York city housing authority shall auto-
34 matically and electronically transmit the following to the state board
35 of elections for purposes of voter registration and pre-registration for
36 each person who files an application that reaches an eligibility inter-
37 view or conducts a reexamination transaction, who is of sufficient age
38 to register or pre-register to vote, who is a resident of the state, and
39 who is externally verified as a United States citizen as part of such
40 application or transaction:

- 41 (a) such person's name;
- 42 (b) such person's date of birth;
- 43 (c) the last four digits of such person's social security number;
- 44 (d) such person's residence address, and mailing address if different
45 from the residence address;
- 46 (e) such person's county of residence;
- 47 (f) such person's citizenship status;
- 48 (g) an electronic copy of such person's manual signature, if avail-
49 able;
- 50 (h) the date of such person's application or re-examination trans-
51 action;
- 52 (i) such person's gender, if available;
- 53 (j) such person's telephone number, if available; and
- 54 (k) such person's email address, if available.

55 2. If necessary to comply with federal law, before transmitting a
56 person's information to the state board of elections for purposes of

1 voter registration pursuant to subdivision one of this section, the New
2 York city housing authority or its designee shall, within fifteen days
3 of such person's eligibility interview or reexamination transaction,
4 notify by mail such person whose data is subject to transmission pursu-
5 ant to subdivision one of this section and provide such person an oppor-
6 tunity to decline transmission. Such notice shall be sent to such
7 person's mailing address by non-forwardable mail, notify such person
8 that such person's information will be shared with election officials
9 for purposes of keeping voter registration records complete and accu-
10 rate, and contain a postage paid preaddressed return form by which such
11 person may decline transmission of such person's data to the state board
12 of elections. If such person returns such notice within seventeen days
13 of mailing and declines transmission of such person's information, such
14 person's information shall not be transmitted to the state board of
15 elections for purposes of voter registration. If such person does not
16 return the notice provided under this subdivision and declines trans-
17 mission of such person's information within seventeen days of mailing,
18 such person's information shall be transmitted to the state board of
19 elections within three days for purposes of voter registration.

20 3. In processing information received by the New York city housing
21 authority pursuant to subdivision one of this section, the state board
22 of elections and boards of elections for each county or the city of New
23 York shall comply with the requirements established in subdivisions two
24 and four of section 5-901 of this title. Provided that, a person of
25 sufficient age to register to vote whose information is transmitted to a
26 county or city board pursuant to this section shall be registered to
27 vote for an election if the information is transmitted to the county or
28 city board by the tenth day before such election.

29 4. Prior to January first, two thousand twenty-eight, the New York
30 city housing authority shall utilize the procedures required under
31 section 5-900 of this title for New York city housing authority applica-
32 tions that reach an eligibility interview and reexamination trans-
33 actions.

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

36 § 5-902. Failure to receive exemplar signature not to prevent regis-
37 tration. If a voter registration exemplar signature is not received from
38 an applicant who submits a voter registration or pre-registration appli-
39 cation or is otherwise registered or pre-registered to vote pursuant to
40 this title and such signature exemplar is not otherwise available from
41 the statewide voter registration database or a state or local agency,
42 the local board of elections shall, absent another reason to reject the
43 application, proceed to register or pre-register and, as applicable,
44 enroll the applicant. Within ten days of such action, the board of
45 elections shall send a standard form promulgated by the state board of
46 elections to the voter whose record lacks an exemplar signature, requir-
47 ing such voter to submit a signature for identification purposes. The
48 voter shall submit to the board of elections a voter registration exemp-
49 lar signature by any one of the following methods: in person, by mail
50 with return postage paid provided by the board of elections, by elec-
51 tronic mail, or by electronic upload to the board of elections through
52 the electronic voter registration transmittal system. If such voter does
53 not provide the required exemplar signature, when the voter appears to
54 vote the voter shall be entitled to vote by affidavit ballot.

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

4 Notwithstanding subdivision six of section 5-210 of this article or
5 any other law to the contrary, a person who is ineligible to vote who
6 fails to decline to register or pre-register to vote in accordance with
7 the provisions of this [~~section~~] title or who is otherwise registered or
8 pre-registered to vote in accordance with the provisions of this title,
9 and who did not willfully and knowingly seek to register or pre-register
10 to vote knowing that the person is not eligible to do so:

11 Notwithstanding subdivision six of section 5-210 of this article or
12 any other law to the contrary, a person who is ineligible to vote who
13 fails to decline to register or pre-register to vote in accordance with
14 the provisions of this [~~section~~] title or who is otherwise registered or
15 pre-registered to vote in accordance with the provisions of this title,
16 and who then either votes or attempts to vote in an election held after
17 the effective date of that person's registration, and who did not will-
18 fully and knowingly seek to register or pre-register to vote knowing
19 that the person is not eligible to do so, and did not subsequently vote
20 or attempt to vote knowing that the person is not eligible to do so:

21 § 8. Subdivisions 1 and 2 of section 5-308 of the election law, as
22 amended by chapter 37 of the laws of 2021, are amended to read as
23 follows:

24 1. The board of elections shall, promptly and not later than twenty-
25 one days after receipt of a voter registration or pre-registration
26 application submitted pursuant to title nine of this article by a voter
27 registering or pre-registering for the first time, send any such voter
28 who did not enroll in a party a notice and a form to indicate party
29 enrollment. Such notice shall offer the voter the opportunity to enroll
30 with a party or to decline to enroll with a party and contain the
31 following statement in prominent type "ONLY ENROLLED MEMBERS OF A POLI-
32 TICAL PARTY MAY VOTE IN THAT PARTY'S PRIMARIES." Such form shall provide
33 a clear alternative for the applicant to decline to affiliate with any
34 party. If the board of elections has not received a response to the
35 party enrollment notice and form sent pursuant to this subdivision, or
36 to a party enrollment notice sent pursuant to subparagraph (i) of para-
37 graph (e) of subdivision two of section 5-901 of this article within
38 forty-five days of a person's registration, the board shall mail a
39 second party enrollment notice and form to such person.

40 2. Notwithstanding subdivision [~~two~~] three of section 5-304 of this
41 title, if a voter who registered to vote for the first time (or pre-re-
42 gistered) pursuant to title nine of this article responds to either of
43 the [~~notice~~] notices required by subdivision one of this section and
44 elects to enroll in a party, such enrollment shall take effect imme-
45 diately. However, any pre-registrant's registration shall remain classi-
46 fied as "pending" until the voter reaches the age of eligibility.

47 § 9. This act shall take effect January 1, 2028; provided, however,
48 the amendments to subdivision 12 of section 5-900 of the election law,
49 made by section two of this act, shall take effect immediately.