

STATE OF NEW YORK

2635

2025-2026 Regular Sessions

IN ASSEMBLY

January 21, 2025

Introduced by M. of A. CUNNINGHAM, PAULIN, R. CARROLL, GONZALEZ-ROJAS, BICHOTTE HERMELYN, MEEKS -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to notices to voters of registration cancellation or inactive status

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

1 Section 1. Section 5-213 of the election law is amended by adding a
2 new subdivision 6 to read as follows:

3 6. When a board of elections places a voter's registration in inactive
4 status, the board of elections shall notify the voter immediately using:
5 (a) first class forwardable mail addressed to the address where the
6 board believes the voter now resides; (b) first class forwardable mail
7 addressed to the address where the voter is registered; and (c) any
8 email addresses and telephone numbers that are in the board of
9 elections' registration records for the voter. Such notices shall
10 explain the reason why the voter has been placed in inactive status. The
11 state board of elections shall establish uniform, statewide forms of
12 notice for this purpose.

13 § 2. Subdivisions 2 and 3 of section 5-402 of the election law, subdivi-
14 sion 2 as amended by chapter 94 of the laws of 1997 and subdivision 3
15 as amended by chapter 373 of the laws of 1978, are amended and a new
16 subdivision 5 is added to read as follows:

17 2. Whenever the board has reason to believe that a registered voter is
18 no longer qualified to vote, it shall, before cancelling [~~his~~] such
19 voter's registration, notify [~~him~~] such voter, in a uniform, statewide
20 form approved by the state board of elections, [~~by first class forwarda-~~
21 ~~ble mail to the address from which he was last registered~~] using all of
22 the notification methods prescribed by subdivision five of this section,
23 which shall state the reason why the voter's registration is being
24 cancelled and that [~~he~~] such voter may appear before the board or answer

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

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1 in writing by mail, stating the reasons why [~~his~~] such voter's registra-
2 tion should not be cancelled. Such notice shall also state that if the
3 voter does not appear or answer in writing within fourteen days after
4 such notice is mailed, [~~his~~] such voter's registration [~~will~~] shall be
5 cancelled. Such notice shall also advise the voter of [~~his~~] such voter's
6 right to reregister pursuant to the provisions of this chapter and shall
7 contain the phone number to call for the days and hours of local registra-
8 tion and the location of local registration places, the deadline for
9 personal registration by mail for the next general election and the
10 phone number to call to obtain additional applications for personal
11 registration by mail. No such notice shall be required in order to
12 cancel the registration of a voter who has made a personal request to be
13 removed from the list of registered voters as defined by subdivision two
14 of section 5-400 of this title or the registration of a voter whose name
15 has been in inactive status for at least the period required by para-
16 graph (f) of subdivision one of section 5-400 of this title or to cancel
17 the registration of a voter who has died. Together with such notice of
18 cancellation, the board shall mail to such voter a postage paid return
19 card in a form approved by the state board of elections. Such card shall
20 provide a place for the voter to set forth the reasons for [~~his~~] such
21 voter's continued eligibility to vote in such county or city and to
22 indicate [~~his~~] such voter's current address in the county or city and a
23 statement that failure to return the card [~~will~~] shall result in cancel-
24 lation of registration. The card shall also inform the voter of how to
25 reregister if the voter has moved out of the county or city. If such
26 registered voter shall fail to appear or answer in writing within such
27 time or if, after [~~he~~] such voter so appears or writes, the board is not
28 satisfied that [~~he~~] such voter is qualified to remain registered, the
29 board shall cancel [~~his~~] such voter's registration.

30 3. The board of elections shall notify immediately every person whose
31 registration is cancelled [~~after such person has responded, in person or~~
32 ~~by mail, to a notice sent pursuant to subdivision two of this section,~~
33 of the action taken and the reason therefor, [~~by written notice to the~~
34 ~~address from which he was last registered~~] using all of the methods of
35 notice prescribed by subdivision five of this section. Such notice
36 shall advise such persons either of their right to reregister or their
37 right to apply to a court of law for reinstatement, whichever is appro-
38 priate.

39 5. When a board of elections gives a voter notice of cancellation or
40 notice of the board's intent to cancel a voter's registration, the board
41 of elections shall immediately notify the voter using: (a) first class
42 forwardable mail addressed to the address where the board believes the
43 voter now resides; (b) first class forwardable mail addressed to the
44 address where the voter is registered; and (c) any email addresses and
45 telephone numbers that are in the board of elections' registration
46 records for the voter. The state board of elections shall establish
47 uniform, statewide forms of notice for this purpose.

48 § 3. Subdivisions 2, 3 and 5 of section 5-712 of the election law,
49 subdivisions 2 and 3 as amended by chapter 200 of the laws of 1996 and
50 subdivision 5 as added by chapter 659 of the laws of 1994, are amended
51 to read as follows:

52 2. (a) The board of elections shall also send a confirmation notice to
53 every registered voter for whom it receives a notice of change of
54 address to an address not in such city or county which is not signed by
55 the voter by first class forwardable mail, and to any email addresses
56 and telephone numbers that are in the board of elections' registration

1 records for the voter. Such change of address notices shall include, but
2 not be limited to, notices of change of address received pursuant to
3 subdivision eleven of section 5-211 and subdivision six of section 5-212
4 of this article, notice of change of address from the United States
5 Postal Service through the National Change of Address System or from any
6 other agency of the federal government or any agency of any state or
7 local government and notice of a forwarding address on mail sent to a
8 voter by the board of elections and returned by the postal service. Such
9 confirmation notices shall be sent to such new address by first class
10 forwardable mail, and the board shall notify the voter using any email
11 addresses and telephone numbers that are in the board of elections'
12 registration records for the voter.

13 (b) If a notice sent pursuant to paragraph (a) of this subdivision to
14 the voter at the new address is returned as undeliverable, the board of
15 elections shall send another second such notice by first class forwarda-
16 ble mail, and to any email addresses and telephone numbers that are in
17 the board of elections' registration records for the voter to the
18 address at which the voter was originally registered.

19 3. Such notices required by subdivisions one and two of this section
20 shall be [~~in a form~~] sent using uniform, statewide forms prescribed by
21 the state board of elections and the mailed notices shall include a
22 postage-paid return card on which the voter may confirm the fact that
23 [~~he~~] such voter still resides at the address to which the notice was
24 sent, or notify the board of any change of address. Such notices shall
25 request all voters who receive the notice to reply with their current
26 addresses. Such notices shall request all voters who receive the notice
27 to reply with their current addresses and shall state that voters who
28 have not moved or who have moved within the county or city and who do
29 not respond may be required to vote by affidavit ballot and that if they
30 do not vote in any election up to and including the second federal
31 election after such notice, their registrations may be cancelled. Such
32 notices sent to addresses in New York state shall also include a mail
33 registration form and information on how voters who have moved to a
34 different city or county may reregister.

35 5. All voters or applicants to whom a confirmation notice is sent,
36 pursuant to the provisions of this section, shall forthwith be placed in
37 inactive status. When a voter is placed in inactive status, the board of
38 elections shall notify the voter that they are now in inactive status
39 using all of the methods set forth in subdivision five of section 5-402
40 of this article that must be used to notify a voter that their registra-
41 tion has been cancelled and the notices shall state the reason that the
42 voter has been placed in inactive status. Boards of elections shall use
43 a uniform, statewide notice approved by the state board of elections for
44 this purpose.

45 § 4. This act shall take effect immediately.