

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:

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

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

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

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

16 6-a. (a) An application for early mail voting shall include the appli-
17 cant's driver's license or department of motor vehicles non-driver photo
18 ID number. Provided, however, that if the applicant has not been issued
19 a driver's license or non-driver photo ID from the department of motor
20 vehicles, the applicant shall provide the last four digits of their
21 social security number.

22 (b) In the event that an applicant does not have a driver's license,
23 non-driver photo ID issued by the department of motor vehicles, or a
24 social security number, the applicant shall provide a statement that
25 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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1 § 3. Subdivision 6 of section 7-122 of the election law, as amended by
2 chapter 411 of the laws of 2019, is amended to read as follows:

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

5 AFFIRMATION

6 I do declare that I am a citizen of the United States, that I am duly
7 registered in the election district shown on the reverse side of this
8 envelope and I am qualified to vote in such district; that I will be
9 unable to appear personally on the day of the election for which this
10 ballot is voted at the polling place of the election district in which I
11 am a qualified voter because of the reason given on my application here-
12 tofore submitted; that I have not qualified nor do I intend to vote
13 elsewhere, that I have not committed any act nor am I under any imped-
14 iment which denies me the right to vote.

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

19 Date.....20.....

20

21 Voter's Driver's ID number

Signature or mark of voter

22
23 or Last 4 digits of voter's
24 Social Security Number

25 (If you do not have Signature of Witness
26 ID or Social Security (required only if voter
27 Number you must enclose does not sign [~~his or her~~
28 a statement stating their own name)
29 that you are qualified
30 and registered to vote
31 in the envelope)

32
33 Address of Witness

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

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

38 AFFIRMATION

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

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

48 Date..... 20.....

49

1 Voter's Driver's ID number

2 or Last 4 digits of voter's Signature or mark of voter

3 Social Security Number

4 (If you do not have Signature of Witness

5 ID or Social Security (required only if voter

6 Number you must enclose does not sign their

7 a statement stating own name)

8 that you are qualified

9 and registered to vote

10 in the envelope)

11

12 Address of Witness

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

15 § 8-410. Absentee voting; method of. The absentee voter shall mark an
16 absentee ballot as provided for paper ballots or ballots prepared for
17 counting by ballot counting machines. Such absentee voter shall make no
18 mark or writing whatsoever upon the ballot, except as above prescribed,
19 and shall see that it bears no such mark or writing. Such absentee voter
20 shall make no mark or writing whatsoever on the outside of the ballot.
21 In cases where the express intent of the voter is unambiguous, any stray
22 marks or writing shall not be a basis for voiding a ballot. After mark-
23 ing the ballot or ballots such absentee voter shall fold each such
24 ballot and enclose them in the envelope and seal the envelope. Such
25 absentee voter shall then take and subscribe the oath on the envelope,
26 with blanks properly filled in, and provide either their department of
27 motor vehicles ID number or the last four digits of their social securi-
28 ty number in the space provided. If an absentee voter has not been
29 provided with an ID number for the department of motor vehicles or a
30 social security number, the voter shall then provide a statement that
31 such voter is a qualified and registered voter, enclose it in the ballot
32 envelope, and seal the envelope. The envelope, containing the ballot or
33 ballots, shall then be mailed or delivered to the board of elections of
34 the county or city of such absentee voter's residence or deposited in a
35 ballot drop box established by the board of elections of the county or
36 city of the voter's residence.

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

39 § 8-708. Early voting by mail; method of. The early mail voter shall
40 mark an early mail ballot as provided for paper ballots or ballots
41 prepared for counting by ballot counting machines. They shall make no
42 mark or writing whatsoever upon the ballot, except as above prescribed,
43 and shall see that it bears no such mark or writing. They shall make no
44 mark or writing whatsoever on the outside of the ballot. In cases where
45 the express intent of the voter is unambiguous, any stray marks or writ-
46 ing shall not be a basis for voiding a ballot. After marking the ballot
47 or ballots they shall fold each such ballot and enclose them in the
48 envelope and seal the envelope. They shall then take and subscribe the
49 oath on the envelope, with blanks properly filled in, and provide either
50 their department of motor vehicles ID number or the last four digits of
51 their social security number in the space provided. If an absentee
52 voter has not been provided with an ID number for the department of
53 motor vehicles or a social security number, the voter shall then provide

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

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

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

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