

STATE OF NEW YORK

1775

2025-2026 Regular Sessions

IN SENATE

January 13, 2025

Introduced by Sen. WALCZYK -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to removing certain provisions relating to preclearance by the civil rights bureau of certain policies relating to voting; and to repeal certain provisions of the election law relating thereto

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

Section 1. Section 17-210 of the election law is REPEALED.

§ 2. Paragraph (c) of subdivision 7 of section 17-206 of the election law, as added by chapter 226 of the laws of 2022, and subparagraphs (i), (iii) and (iv) as amended by chapter 216 of the laws of 2024, is amended to read as follows:

(c) If the governing body of a political subdivision lacks the authority under this title or applicable state law or local laws to enact or implement a remedy identified in a NYVRA resolution, or fails to enact or implement a remedy identified in a NYVRA resolution, within ninety days after the passage of the NYVRA resolution, ~~[or if the political subdivision is a covered entity as defined under section 17-210 of this title,~~ the governing body of the political subdivision shall undertake the steps enumerated in the following provisions:

(i) The governing body of the political subdivision may approve a proposed remedy that complies with this title and submit such a proposed remedy to the civil rights bureau no later than one hundred twenty days after the passage of the NYVRA resolution. Such a submission shall be referred to as a "NYVRA proposal" in this title.

(ii) Prior to passing a NYVRA proposal, the political subdivision shall hold at least one public hearing, at which the public shall be invited to provide input regarding the NYVRA proposal. Before this hearing, the political subdivision may conduct outreach to the public,

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

LBD05178-01-5

1 including to non-English-speaking communities, to encourage public
2 participation.

3 (iii) Within sixty days of receipt of a NYVRA proposal, the civil
4 rights bureau shall grant or deny approval of the NYVRA proposal. The
5 civil rights bureau may invoke an extension of up to twenty days to
6 review the proposal.

7 (iv) The civil rights bureau shall only grant approval to the NYVRA
8 proposal if it concludes that: (A) the political subdivision may be in
9 violation of this title; (B) the NYVRA proposal would remedy any poten-
10 tial violation of this title cited in the NYVRA notification letter and
11 would not give rise to any other violation of this title; (C) the NYVRA
12 proposal is unlikely to violate the constitution or any relevant federal
13 law; and (D) implementation of the NYVRA proposal is feasible.

14 (v) If the civil rights bureau grants approval, the NYVRA proposal
15 shall be enacted and implemented immediately, notwithstanding any other
16 provision of law, including any other state or local law.

17 (vi) ~~[If the political subdivision is a covered entity as defined~~
18 ~~under section 17-210 of this title, the political subdivision shall not~~
19 ~~be required to obtain preclearance for the NYVRA proposal pursuant to~~
20 ~~such section upon approval of the NYVRA proposal by the civil rights~~
21 ~~bureau.~~

22 ~~(vii)]~~ If the civil rights bureau denies approval, the NYVRA proposal
23 shall not be enacted or implemented. The civil rights bureau shall
24 explain the basis for such denial and may, in its discretion, make
25 recommendations for an alternative remedy for which it would grant
26 approval.

27 ~~[(viii)]~~ (vii) If the civil rights bureau does not respond, the NYVRA
28 proposal shall not be enacted or implemented.

29 § 3. Subdivision 3 of section 17-214 of the election law is REPEALED.

30 § 4. Subdivision 9 of section 17-204 of the election law is REPEALED.

31 § 5. This act shall take effect immediately.