

STATE OF NEW YORK

3028

2025-2026 Regular Sessions

IN SENATE

January 23, 2025

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

AN ACT to amend the education law and the election law, in relation to extending the right to vote in school district elections to qualified persons who are sixteen years of age; and to repeal certain provisions of the election law in relation thereto

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

1 Section 1. Subdivision 2 and the closing paragraph of section 2012 of
2 the education law, subdivision 2 as amended by chapter 115 of the laws
3 of 1973, and the closing paragraph as amended by chapter 919 of the laws
4 of 1974, are amended to read as follows:
5 2. [~~Eighteen~~] Sixteen years of age.
6 5. No person shall be deemed to be ineligible to vote at any such
7 meeting or election, by reason of sex, who has the other qualifications
8 required by this section; and notwithstanding the foregoing provisions
9 of this section, no Indian [~~eighteen~~] sixteen years of age or over who,
10 having been born in the United States to a member of an Indian tribe, or
11 having been naturalized or otherwise acquired citizenship, shall have
12 resided on an Indian reservation in the state for a period of thirty
13 days next preceding the meeting or election at which [~~he~~] such person
14 offers to vote or the spouse of such Indian shall be deemed ineligible
15 to vote at any such meeting or election of the school district where the
16 majority, as determined by the commissioner, of the Indian children of
17 such reservation are being educated under a contract pursuant to subdi-
18 vision two of section forty-one hundred one of this chapter, except that
19 the parents or guardians of Indian children of such reservation who are
20 being educated in the schools of a district other than the district
21 which educates the majority of such children, shall be eligible to vote
22 only in the district where their children are being so educated.

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

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1 § 2. Subdivision 7 of section 2502 of the education law, as amended by
2 chapter 476 of the laws of 2018, is amended to read as follows:

3 7. No person shall be eligible to the office of member of the board of
4 education who is not a qualified voter of the city school district and
5 who has not been a resident of such district for a period of at least
6 one year immediately preceding the date of [~~his or her~~] such person's
7 election; provided, however, that no person shall hold at the same time
8 the office of member of the board of education and any city office other
9 than as a police officer and firefighter; provided, further, that where
10 territory is added to a city school district by order of the commission-
11 er pursuant to article thirty-one of this chapter, residence in the
12 territory so added to the city school district shall be and shall be
13 deemed to be residence in the city school district for the purposes of
14 this subdivision, and a person qualified to vote in school district
15 elections by virtue of [~~his or her~~] such person's residence in the
16 territory so added to the city school district immediately prior to the
17 addition of such territory to the city school district shall be and
18 shall be deemed to be a qualified voter of the city school district
19 immediately upon the addition of such territory; provided further, that
20 no person less than eighteen years of age shall be deemed eligible.

21 § 3. Subdivision 1 of section 2553 of the education law, as separately
22 amended by chapters 211 and 441 of the laws of 1980, is amended to read
23 as follows:

24 1. No person shall be eligible to the office of member of a board of
25 education who is not a citizen of the United States, who is not quali-
26 fied to register for or vote at an election in accordance with the
27 provisions of section 5-106 of the election law, and who, in the case of
28 the city school district of the city of Yonkers, has not been a resident
29 of the city school district for which [~~he~~] such person is chosen for a
30 period of at least three years immediately preceding the date of [~~his~~]
31 such person's election or appointment and who, in the case of the city
32 school district of the city of Buffalo, in the case of a member to be
33 elected at large is not a qualified voter of such city school district
34 and who has not been a resident of such district for a period of at
35 least three years immediately preceding the date of [~~his~~] such person's
36 election and in the case of a member elected from a city school subdis-
37 trict is not a qualified voter of such city school subdistrict and has
38 not been a resident of the city school district for three years and a
39 resident of the city school subdistrict which [~~he~~] such person repres-
40 ents or seeks to represent for a period of one year immediately preced-
41 ing the date of [~~his~~] such person's election, provided that no person
42 less than eighteen years of age shall be deemed eligible for election as
43 an at large member or from a city school subdistrict, and who, in the
44 case of the city school district of the city of Rochester, is not a
45 qualified voter under section 5-102 of the election law of such city
46 school district; and who in the case of the city school district of the
47 city of Syracuse has not been a qualified voter under section 5-102 of
48 the election law of such city school district for at least ninety days
49 immediately preceding the date of [~~his~~] such person's election or
50 appointment.

51 § 4. Section 2553 of the education law is amended by adding a new
52 subdivision 12 to read as follows:

53 12. Notwithstanding any other law to the contrary, individuals aged
54 sixteen and seventeen shall be deemed qualified voters for the purposes
55 of this section, provided that such individuals are otherwise eligible
56 under section 5-102 of the election law.

1 § 5. Subdivision 2 of section 2603 of the education law, as amended by
2 chapter 115 of the laws of 1973, is amended to read as follows:

3 2. [~~Eighteen~~ Sixteen years of age.

4 § 6. Paragraph b of subdivision 5 of section 2018-a of the education
5 law, as amended by section 8 of part LL of section 56 of the laws of
6 2010, is amended to read as follows:

7 b. On the reverse side of such envelope shall be printed the following
8 statement:

9 STATEMENT OF ABSENTEE VOTER

10 I do declare that I am a citizen of the United States, and will be at
11 least [~~eighteen~~ sixteen years of age, on the date of the school
12 district election; that I will have been a resident of this state and of
13 the school district and school election district, if any, shown on the
14 reverse side of this envelope for thirty days next preceding the said
15 election and duly registered in the school district and school election
16 district, if any, shown on the reverse side of this envelope and that I
17 am or on such date will be, a qualified voter of said school district;
18 that I will be unable to appear personally on the day of said school
19 district election at the polling place of the said district in which I
20 am or will be a qualified voter because of the reason stated on my
21 application heretofore submitted; that I have not qualified, or do I
22 intend to vote, elsewhere than as set forth on the reverse side of this
23 envelope; that I have not received or offered, do not expect to receive,
24 have not paid, offered or promised to pay, contributed, offered or prom-
25 ised to contribute to another to be paid or used, any money or other
26 valuable thing, as a compensation or reward for the giving or withhold-
27 ing of a vote at this school district election, and have not made any
28 promise to influence the giving or withholding of any such votes; that I
29 have not made or become directly or indirectly interested in any bet or
30 wager depending upon the result of this school district election; and
31 that I have not been convicted of bribery or any infamous crime, or, if
32 so convicted, that I have been pardoned or restored to all the rights of
33 a citizen, without restriction as to the right of suffrage, or received
34 a certificate of relief from disabilities or a certificate of good
35 conduct pursuant to article twenty-three of the correction law removing
36 my disability to register and vote.

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

41 Date.....Signature of Voter

42 § 7. Subparagraphs 1 and 2 of paragraph a of subdivision 2 of section
43 2018-b of the education law, as amended by chapter 46 of the laws of
44 1992, are amended to read as follows:

45 (1) [~~his~~ the applicant's name and residence address, including the
46 street and number, if any, or town and rural delivery route, if any; (2)
47 that [~~he~~ the applicant is or will be, on the day of the school district
48 election, a qualified voter of the school district in which [~~he~~ such
49 applicant resides in, that [~~he~~ the applicant is or will be, on such
50 date, over [~~eighteen~~ sixteen years of age, a citizen of the United
51 States and has or will have resided in the district for thirty days next
52 preceding such date;

1 § 8. Paragraph b of subdivision 6 of section 2018-b of the education
2 law, as amended by section 9 of part LL of chapter 56 of the laws of
3 2010, is amended to read as follows:

4 b. On the reverse side of such envelope shall be printed the following
5 statement:

6 STATEMENT OF ABSENTEE VOTER

7 I do declare that I am a citizen of the United States, and will be at
8 least [~~eighteen~~] sixteen years of age on the date of the school district
9 election; that I will have been a resident of this state and of the
10 school district and school election district, if any, shown on the
11 reverse side of this envelope for thirty days next preceding the said
12 election and that I am or on such date will be, a qualified voter of
13 said school district; that I will be unable to appear personally on the
14 day of said school district election at the polling place of the said
15 district in which I am or will be a qualified voter because of the
16 reason stated on my application heretofore submitted; that I have not
17 qualified, or do I intend to vote, elsewhere than as set forth on the
18 reverse side of this envelope; that I have not received or offered, do
19 not expect to receive, have not paid, offered or promised to pay,
20 contributed, offered or promised to contribute to another to be paid or
21 used, any money or other valuable thing, as a compensation or reward for
22 the giving or withholding of a vote at this school district election,
23 and have not made any promise to influence the giving or withholding of
24 any such votes; that I have not made or become directly or indirectly
25 interested in any bet or wager depending upon the result of this school
26 district election; and that I have not been convicted of bribery or any
27 infamous crime, or, if so convicted, that I have been pardoned or
28 restored to all the rights of a citizen, without restriction as to the
29 right of suffrage, or have received a certificate of relief from disa-
30 bilities or a certificate of good conduct pursuant to article twenty-
31 three of the correction law removing my disability to vote.

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

36 Date.....Signature of Voter

37 § 9. Subparagraph 2 of paragraph c of subdivision 2 of section 1951 of
38 the education law, as amended by chapter 919 of the laws of 1974, is
39 amended to read as follows:

40 (2) [~~Eighteen~~] Sixteen years of age.

41 § 10. Paragraph s of subdivision 2 of section 1951 of the education
42 law, as added by chapter 722 of the laws of 2005, is amended to read as
43 follows:

44 s. The board of cooperative educational services shall provide absen-
45 tee ballots to qualified voters. The commissioner shall adopt regu-
46 lations for the purposes of implementing the provisions of this para-
47 graph which shall include, but not be limited to, creating the procedure
48 for which such absentee ballots shall be submitted; providing that such
49 absentee ballots shall be, as nearly as practicable, in the same form as
50 those voted at the district election; requiring that any absentee ballot
51 applicant is or will be, on the day of the vote, a qualified voter of
52 the board of cooperative educational services and that [~~he or she~~] such
53 voter will be on such date over [~~eighteen~~] sixteen years of age, a citi-
54 zen of the United States and has or will have resided in said district

1 for thirty days next preceding such date; and providing instructions as
2 to the proper marking thereof.

3 § 11. Subdivision 5 of section 2609 of the education law, as amended
4 by chapter 919 of the laws of 1974, is amended to read as follows:

5 5. Any qualified voter of a city school district may challenge the
6 right of a person to vote at the time when [~~he~~] such voter requests a
7 ballot. All persons named upon the applicable register as having been
8 challenged prior to the day of the election shall also be challenged
9 before they are given ballots to vote. The chairman of the board of
10 inspectors shall administer to each person so challenged the following
11 oath: "I do solemnly swear (or affirm) that I am a citizen of the United
12 States; that I am of the age of [~~eighteen~~] sixteen years or more; that I
13 have been an inhabitant of the State for the past year, a resident of
14 the county for the past four months and for the thirty days past an
15 actual resident of this city school district and am therefore qualified
16 to vote at this election." If the person challenged so swears or
17 affirms, [~~he~~] such voter shall be permitted to vote at such election;
18 but if [~~he~~] such voter shall refuse to so swear or affirm, [~~he~~] such
19 voter shall not be given a ballot or be permitted to vote.

20 § 12. Paragraph (g) of subdivision 5 of section 5-210 of the election
21 law is REPEALED and two new paragraphs (g) and (g-1) are added to read
22 as follows:

23 (g) Notice that the applicant must be:

24 (i) A citizen of the United States;

25 (ii) At least sixteen years of age at the time the application is
26 submitted or will be sixteen years of age no later than December thir-
27 ty-first of the calendar year in which such application is submitted;
28 and

29 (iii) A resident of the county or city to which such application is
30 made.

31 (g-1) Notice that such application to register to vote will be effec-
32 tive:

33 (i) For school district elections occurring on or after the applicant
34 turns sixteen years of age in the school district in which the applicant
35 resides; and

36 (ii) For all other federal, state and local elections occurring on or
37 after the applicant turns eighteen years of age in the applicable
38 election district in which the applicant resides.

39 § 13. Paragraph p of subdivision 4 of section 5-500 of the election
40 law is REPEALED and a new paragraph p is added to read as follows:

41 p. A space for pre-registering applicants to respond to the following
42 questions:

43 (i) "Are you at least 16 years of age or will you be 16 years of age
44 on or before December 31 of this year?"

45 (ii) "Do you understand that you must be 16 years of age on or before
46 election day to vote in school district elections or meetings, and that
47 you will be unable to cast a ballot in a school district election until
48 you are 16 years of age or older at the time of such election, and that
49 until you are 16 years of age, your application for registration will be
50 marked 'pending', and that after you turn 16 and until you are 18 years
51 of age, your registration will entitle you to vote only in school
52 district elections in the school district where you reside?"

53 (iii) "Do you understand that you must be 18 years of age on or before
54 election day to vote in all other elections, including federal, state
55 and local elections other than school district elections, and that you
56 will be unable to cast a ballot in any such federal, state or local

1 election until you are 18 years of age at the time of such election,
2 your registration status will be marked 'school district only?'"

3 § 14. Subdivision 1 of section 5-507 of the election law, as added by
4 chapter 2 of the laws of 2019, is amended to read as follows:

5 1. Pre-registration. A person who is at least sixteen years of age and
6 who is otherwise qualified to register to vote may pre-register to vote,
7 and shall be automatically registered upon reaching the age of eligibil-
8 ity as provided by this chapter, provided that such voter shall be
9 considered registered for the purpose of school district elections,
10 pursuant to sections two thousand twelve, two thousand five hundred
11 fifty-three, and two thousand six hundred three of the education law.

12 § 15. This act shall take effect on the first of January next succeed-
13 ing the date on which it shall have become a law.