

STATE OF NEW YORK

5021

2025-2026 Regular Sessions

IN SENATE

February 18, 2025

Introduced by Sens. SEPULVEDA, PARKER -- 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 the registration status
of voters

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

1 Section 1. Section 17-106 of the election law, as amended by chapter 9
2 of the laws of 1978, is amended to read as follows:

3 § 17-106. Misconduct of election officers. Any election officer who
4 wilfully refuses to accord to any duly accredited watcher or to any
5 voter or candidate any right given [~~him~~] to such election officer by
6 this chapter, including the cancellation of a voter's registration in
7 violation of section 5-400 of this chapter or the refusal to allow an
8 individual to vote due to an inactive status in violation of section
9 5-213 of this chapter, or who wilfully violates any provision of the
10 election law relative to the registration of electors or to the taking,
11 recording, counting, canvassing, tallying or certifying of votes, or who
12 wilfully neglects or refuses to perform any duty imposed on [~~him~~] such
13 election officer by law, or is guilty of any fraud in the execution of
14 the duties of [~~his~~] their office, or connives in any electoral fraud, or
15 knowingly permits any such fraud to be practiced, is guilty of a felony.

16 § 2. Subdivision 1 of section 5-400 of the election law, as amended by
17 chapter 659 of the laws of 1994, paragraph (a) as amended by chapter 3
18 of the laws of 2019, is amended to read as follows:

19 1. A voter's registration[~~, including the registration of a voter in~~
20 ~~inactive status,~~] shall be cancelled if[]: (a) since the time of [~~his~~]
21 such voter's last registration, [~~he~~] such voter:

22 [~~(a)~~] (i) Moved [~~his or her~~] their residence outside the state[];

23 [~~(b)~~] (ii) Was convicted of a felony disqualifying [~~him~~] such voter
24 from voting pursuant to the provisions of section 5-106 of this arti-
25 cle[];

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

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1 [~~(e)~~] (iii) Has been adjudicated an incompetent[~~+~~];
 2 [~~(d)~~] (iv) Refused to take a challenge oath[~~+~~];
 3 [~~(e)~~] (v) Has died[~~+~~];
 4 [~~(f)~~] ~~Did not vote in any election conducted by the board of elections~~
 5 ~~during the period ending with the second general election at which~~
 6 ~~candidates for federal office are on the ballot after his name was~~
 7 ~~placed in inactive status and for whom the board of elections did not,~~
 8 ~~during such period, in any other way, receive any information that such~~
 9 ~~voter still resides in the same county or city.~~
 10 (g) (vi) Personally requested to have his name removed from the list
 11 of registered voters[~~+~~];
 12 [~~(h)~~] (vii) For any other reason, is no longer qualified to vote as
 13 provided in this chapter[~~+~~]; and
 14 (b) the board of elections verifies that one of the circumstances
 15 provided for in paragraph (a) of this subdivision has occurred.
 16 § 3. Subdivisions 2 and 3 of section 5-213 of the election law, subdi-
 17 vision 2 as amended by chapter 200 of the laws of 1996 and subdivision 3
 18 as amended by chapter 113 of the laws of 2023, are amended to read as
 19 follows:
 20 2. The registration poll records of all such voters shall be removed
 21 from the poll ledgers and [~~maintained at~~] compiled by the offices of the
 22 board of elections [~~in a file arranged alphabetically by~~] and placed in
 23 an inactive poll ledger to be distributed to each election district
 24 within a county. If such board uses computer generated registration
 25 lists, the names of such voters shall not be placed on such lists at
 26 subsequent elections other than lists prepared pursuant to the
 27 provisions of section 5-612 of this article but shall be [~~kept as a~~
 28 ~~computer record at the offices of such board~~] compiled by the offices of
 29 the board of elections and placed in an inactive poll ledger to be
 30 distributed to each election district within a county.
 31 3. The board of elections shall restore the registration of any such
 32 voter to active status if such voter notifies the board of elections
 33 that they reside at the address from which they are registered, or the
 34 board finds that such voter has validly signed a designating or nominat-
 35 ing petition which states that they reside at such address, or if such
 36 voter casts a ballot in an affidavit envelope which states that they
 37 reside at such address, or if the board receives notice that such voter
 38 has voted in an election conducted with registration lists prepared
 39 pursuant to the provisions of section 5-612 of this article. If such
 40 voter casts a ballot in an affidavit envelope and such ballot meets all
 41 other requirements of this chapter, such voter's name shall be restored
 42 to active status for such election and such ballot shall be counted for
 43 the election in which it was cast. If any such notification or informa-
 44 tion is received ten days or more before a primary, special or general
 45 election, the voter's name must be restored to active status for such
 46 election.
 47 § 4. This act shall take effect immediately.