

STATE OF NEW YORK

5965

2025-2026 Regular Sessions

IN SENATE

March 4, 2025

Introduced by Sens. PARKER, SEPULVEDA -- 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 voting rights expansion, voter registration on election day, expansion of the use of and requirements for absentee voting, creation of a real-time state wide voter registration database, special ballots for election employees, voter affidavits; and to repeal certain provisions of such law relating thereto

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

1 Section 1. The election law is amended by adding two new sections
2 5-217 and 5-217-a to read as follows:

3 § 5-217. Registering at the polling place; election day registration.

4 1. The provisions of this section and section 5-217-a of this title
5 shall be used as an additional procedure for voter registration. For
6 the purposes of this section and section 5-217-a of this title, the term
7 "election day" shall refer to state primary and to state general
8 elections, to all town, city, school district, and village district
9 elections, and to all elections where persons may vote by absentee
10 ballot. A person registering to vote on election day shall do so in
11 accordance with the provisions of this section and all other applicable
12 laws including, but not limited to completion of a voter registration
13 form as provided for in section 5-210 of this title. The provisions of
14 this section and those of 5-217-a of this title shall apply notwith-
15 standing any provisions of law to the contrary.

16 2. Any person whose name is not on the checklist but who is otherwise
17 a qualified voter shall be entitled to vote by requesting to be regis-
18 tered to vote at the polling place on election day. The voter may then
19 vote in such election. The applicant shall be required to produce appro-
20 priate proof of qualifications as provided in this chapter.

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

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1 3. Any person who is waiting to register to vote at the polling place
2 on election day at the time scheduled for the closing of the polls shall
3 be allowed to vote if determined to be qualified to register.

4 § 5-217-a. Effect of registration on election day. Any person who
5 registers to vote on election day according to the provisions of section
6 5-217 of this title shall be registered to vote at all subsequent town,
7 state, and federal elections.

8 § 2. Section 8-400 of the election law is REPEALED and a new section
9 8-400 is added to read as follows:

10 § 8-400. Absentee voting. 1. A qualified voter may vote as an absentee
11 voter under this chapter if, on the occurrence of any village election
12 conducted by the board of elections, primary election, special election,
13 general election or New York city community school board district or
14 city of Buffalo school district election, if such voter elects to do
15 such. Any reference to "board of elections" in the remaining provisions
16 of this section means only the board of elections of the county or city
17 in which the absentee voter is a qualified voter.

18 2. The board of elections for all counties or cities shall mail an
19 absentee ballot to every registered and qualified voter residing in such
20 county or city. Such absentee ballot shall be mailed to every registered
21 and qualified voter at the address given on such voter's registration
22 records no later than thirty days before the scheduled election is to be
23 held.

24 3. In the case of a primary election, the board shall deliver only the
25 ballot of the party in which the records of the board of elections show
26 the absentee voter to be enrolled. In the event a primary election is
27 uncontested in the absentee voters election district for all offices or
28 positions except the party position of member of the ward, town, city or
29 county committee, no ballot shall be delivered to such absentee voter
30 for such election; and the absentee voter shall be advised why such
31 voter is not being sent a ballot.

32 4. If a person voting by absentee ballot is unable to sign such
33 person's signature because of illness, physical disability or inability
34 to read, such person shall be excused from signing upon making a state-
35 ment, in substantially the following form, which shall be witnessed by
36 one person:

37 "I hereby state that I am unable to sign my absentee ballot without
38 assistance because I am unable to write by reason of my illness or phys-
39 ical disability or because I am unable to read. I have made, or have
40 received assistance in making, my mark in lieu of my signature."

41 (Date).....

42(Mark)

43 (Name of Voter)

44 "I, the undersigned, hereby certify that the above named voter affixed
45 their mark to this application in my presence and I know them to be the
46 person who affixed their mark to said application and understand that
47 this statement will be accepted for all purposes as the equivalent of an
48 affidavit and if it contains a material false statement, shall subject
49 me to the same penalties as if I had been duly sworn."

50

51 (Signature of Witness)

1 _____
 2 (Address of Witness)

3 Such statement shall be included in the absentee ballot furnished by
 4 the board of elections. The provisions of this subdivision shall also
 5 apply to any application for an absentee ballot pursuant to section
 6 8-402 of this title.

7 5. The board shall keep a record of all absentee ballots that are
 8 mailed, showing the names and residences of the absentee voters, and
 9 their party enrollment in the case of primary elections, and, as soon as
 10 practicable shall, when requested, give to the chair of each political
 11 party or independent body in the county, and shall make available for
 12 inspection to any other qualified voter upon request, a complete list of
 13 all absentee voters to whom ballots have been delivered or mailed,
 14 containing their names and places of residence as they appear on the
 15 registration record, including the election district and ward, if any,
 16 and in the city of New York and the county of Nassau, the assembly
 17 district, and their party enrollment in the case of primary elections.

18 § 3. Section 8-402 of the election law is REPEALED and a new section
 19 8-402 is added to read as follows:

20 § 8-402. Applications for absentee ballots. 1. Any voter, upon appli-
 21 cation, may request that their absentee ballot be mailed to them at an
 22 address other than their permanent address, if such voter expects to be
 23 absent from the county or city of residence and unable to obtain their
 24 absentee ballot.

25 (a) Application forms shall be furnished by and may be obtained from
 26 any board of elections at any time until the day before such election.
 27 Application forms shall also be supplied by the board of inspectors of
 28 the election district in which applicant is a qualified voter on all of
 29 the days provided for local registration. In addition, application forms
 30 shall be supplied upon the request of the person authorized to vote
 31 pursuant to this section, any such person's spouse, parent or child, a
 32 person residing with the applicant as a member of such person's house-
 33 hold, or the applicant's duly authorized agent. Application forms sent
 34 outside of the United States to a country other than Canada or Mexico,
 35 shall be sent air mail.

36 (b) The application for an absentee ballot when filed must contain in
 37 each instance the following information:

38 (i) Applicant's full name, date of birth, and residence address,
 39 including the street and number, if any, rural delivery route, if any,
 40 mailing address if different from the residence address and such appli-
 41 cant's town or city and an address to which the ballot shall be mailed.

42 (ii) A statement that the applicant is a qualified and registered
 43 voter.

44 (iii) A statement that the applicant expects in good faith to be
 45 absent from the county or city of such applicant's residence provided,
 46 however, if the applicant expects to be absent from such county or city
 47 for a duration covering more than one election and seeks an absentee
 48 ballot for each election, such applicant shall state the dates when such
 49 applicant expects to begin and end such absence.

50 2. The application for an absentee ballot shall contain the following
 51 language printed in bold face directly above the signature line: "I
 52 CERTIFY THAT THE INFORMATION IN THIS APPLICATION IS TRUE AND CORRECT AND
 53 UNDERSTAND THAT THIS APPLICATION WILL BE ACCEPTED FOR ALL PURPOSES AS
 54 THE EQUIVALENT OF AN AFFIDAVIT AND, IF IT CONTAINS A MATERIAL FALSE
 55 STATEMENT, SHALL SUBJECT ME TO THE SAME PENALTIES AS IF I HAD BEEN DULY

1 SWORN." Such application shall be accepted for all purposes as the
2 equivalent of an affidavit and if it contains a material false statement
3 shall subject the person signing it to the same penalties as if such
4 person had been duly sworn.

5 3. For purposes of this section, the use of titles, initials or
6 customary abbreviations of given names by the signers of, or witnesses
7 to, an absentee ballot request letter, an absentee ballot application
8 form or an absentee ballot envelope, or the use of customary abbrevi-
9 ations of addresses of such signers or witnesses, shall not invalidate
10 such voter's signature or witness's signature on an application for an
11 absentee ballot or upon canvass or recanvass of the ballot pursuant to
12 this chapter.

13 4. Printed forms of applications for absentee ballots in accordance
14 with the requirements of this section shall be provided by the board of
15 elections. An appropriate number shall be retained by the board of
16 elections for the purpose of furnishing an application form to each
17 qualified voter who applies therefor before the board of elections,
18 either in person or by mail, and an appropriate number shall be deliv-
19 ered to each board of inspectors on registration days with the election
20 supplies, and the board of inspectors shall retain the completed and
21 unused applications and return them to the board of elections with their
22 election supplies and an appropriate number shall be available for
23 distribution to officers of political parties, county clerks, city, town
24 and village clerks, colleges, libraries, hospitals, nursing homes,
25 senior citizens centers and any other convenient distribution source
26 which is approved by the local or state board of elections and which
27 requests such forms.

28 5. The state board of elections shall prescribe a standard application
29 form for use under this section. The use of any application form which
30 substantially complies with the provisions of this section shall be
31 acceptable and any application filed on such a form shall be accepted
32 for filing.

33 6. If the board shall find that the applicant is a qualified voter of
34 the election district containing such voter's residence as stated in
35 such voter's statement and that such voter's statement is sufficient, it
36 shall, as soon as practicable after it shall have determined such
37 voter's right thereto, mail to such voter at an address designated by
38 such voter, or deliver to such voter, or to any person designated for
39 such purpose in writing by such voter, at the office of the board, such
40 an absentee voter's ballot or set of ballots and an envelope therefor.
41 If the ballot or ballots are to be sent outside of the United States to
42 a country other than Canada or Mexico, such ballot or ballots shall be
43 sent by air mail. However, if an applicant who is eligible for an absen-
44 tee ballot is a resident of a facility operated or licensed by, or under
45 the jurisdiction of, the department of mental hygiene, or a resident of
46 a facility defined as a nursing home or residential health care facility
47 pursuant to subdivisions two and three of section twenty-eight hundred
48 one of the public health law, or a resident of a hospital or other
49 facility operated by the Veteran's Administration of the United States,
50 such absentee ballot need not be so mailed or delivered to any such
51 applicant but, may be delivered to the voter in the manner prescribed by
52 section 8-407 of this title if such facility is located in the county or
53 city in which such voter is eligible to vote.

54 § 4. Section 8-404 of the election law, subdivision 1 as amended by
55 chapter 375 of the laws of 2015, is amended to read as follows:

1 § 8-404. Absentee voting; hospitalized veterans, special provisions.
2 1. After entering upon the registration records, the application for
3 registration of a resident or patient of a veterans health adminis-
4 tration hospital as to whom the medical superintendent or medical head
5 of such hospital has attested that [~~he or she~~] such medical superinten-
6 dent or medical head expects that [~~he or she~~] such veteran will not be
7 discharged prior to the day following the next general or special
8 village, primary, special, general or New York city community school
9 board district or city of Buffalo school district election, and the
10 application for registration by the spouse, parent or child of such
11 resident or patient, accompanying or being with [~~him or her~~] such resi-
12 dent or patient, if a qualified voter and a resident of the same
13 election district, the board of elections, without further investigation
14 and without further application by the applicant, shall send to [~~him or~~
15 ~~her~~] such applicant at such hospital an absentee ballot and shall record
16 in the signature column on the back of [~~his or her~~] such applicant's
17 permanent personal registration poll record that such ballot has been
18 sent.

19 (a) Any voter who is duly registered and whose registration records
20 are marked "Hospitalized Veteran" or "Hospitalized Veteran's Relative"
21 need not thereafter make application for an absentee ballot. Sixty days
22 before each election, the board of elections shall compile and send a
23 list to each veterans health administration hospital of all residents
24 and patients of veterans health administration hospitals who appear by
25 the records of such board to be "hospitalized veterans" entitled to
26 receive absentee ballots at each such hospital pursuant to the
27 provisions of this section. Each veterans health administration hospital
28 shall no later than fifteen days following the receipt of such list,
29 return it with notations made thereon showing whether the resident or
30 patient continues to be confined therein or has been discharged there-
31 from. Upon the receipt of such returned list from each veterans health
32 administration hospital with the proper notations showing that a "hospi-
33 talized veteran" continues to be confined in such hospital, the board of
34 elections, by mail addressed to such "hospitalized veteran" at [~~his or~~
35 ~~her~~] such veteran's last known hospital address and by mail addressed to
36 such "hospitalized veteran's relative" at [~~his or her~~] such veteran's
37 relative's last known address shall send an absentee ballot for the
38 ensuing election to such "hospitalized veteran" and such "hospitalized
39 veteran's relative" [~~an absentee ballot in the same manner as provided~~
40 ~~in this section for a qualified voter entitled to an absentee ballot~~
41 ~~because of permanent disability~~]. The board shall record on the back of
42 [~~his or her~~] such veteran's registration poll record in the space
43 reserved for [~~his or her~~] such veteran's signature at such election, the
44 fact that such ballot has been sent.

45 (b) If the returned list from a veterans' administration hospital
46 contains a notation showing that a "hospitalized veteran" is no longer a
47 resident or patient at the veterans health administration hospital where
48 [~~he or she~~] such veteran is recorded as staying, or if such letter
49 containing an absentee voter's ballot for a "hospitalized veteran" or a
50 "hospitalized veteran's relative" is returned by the post office as
51 undeliverable, the board of elections shall ascertain whether the
52 "hospitalized veteran" or "hospitalized veteran's relative" is residing
53 at the address given on [~~his or her~~] such veteran's registration records
54 as [~~his or her~~] such veteran's permanent address. If [~~he or she~~] such
55 veteran is residing there, the board shall [~~not~~] send [~~him or her any~~
56 ~~further absentee ballots unless he or she applies therefor in the regu-~~

1 ~~lar way~~] such veteran an absentee ballot at such address. If [~~he or~~
2 ~~she~~] such veteran is not residing at the place of residence given on
3 [~~his or her~~] such veteran's registration records but the board ascer-
4 tains that [~~he or she~~] such veteran has been transferred to another
5 veterans health administration hospital, the board shall cause a central
6 board of registration to make the necessary changes of temporary address
7 on [~~his or her~~] such veteran's registration records and shall continue
8 sending [~~him or her~~] such veteran's absentee ballots at the veterans
9 health administration hospital where [~~he or she~~] such veteran is stay-
10 ing. If [~~he or she~~] such veteran is not residing at the place of resi-
11 dence given on [~~his or her~~] such veteran's registration records and the
12 board cannot ascertain that [~~he or she~~] such veteran has been trans-
13 ferred to another veterans health administration hospital, the board
14 shall cancel [~~his or her~~] such veteran's registration. Whenever a regis-
15 tration is cancelled pursuant to this paragraph notice shall be mailed
16 to the veteran or [~~his or her~~] such veteran's relative at [~~his or her~~]
17 such veteran's permanent residence address and last temporary address.

18 2. The board of elections shall furnish to each party county [~~chair-~~
19 ~~man~~] chair in such county a list of the names and residence addresses of
20 the hospitalized veterans and hospitalized veterans' relatives to whom
21 absentee ballots have been sent.

22 3. Such ballots shall be mailed, voted, returned, counted, and
23 canvassed as provided in this chapter for other absentee voters'
24 ballots.

25 § 5. Section 8-406 of the election law, as amended by section 2 of
26 part HH of chapter 55 of the laws of 2022, is amended to read as
27 follows:

28 § 8-406. Absentee ballots, delivery of. 1. [~~If the~~] The board shall
29 [~~find that the applicant is a qualified voter of the election district~~
30 ~~containing his residence as stated in his statement and that his state-~~
31 ~~ment is sufficient, it shall, as soon as practicable after it shall have~~
32 ~~determined his right thereto,~~] mail to [~~him~~] all voters an absentee
33 ballot and an envelope at [~~an~~] the permanent address designated [~~by him,~~
34 ~~or deliver to him, or to any person designated for such purpose in writ-~~
35 ~~ing by him, at the office of the board, such an absentee voter's ballot~~
36 ~~or set of ballots and an envelope therefor~~] on such voter's registration
37 records. If the ballot or ballots are to be sent outside of the United
38 States to a country other than Canada or Mexico, such ballot or ballots
39 shall be sent by air mail. However, if [~~an applicant who is eligible~~
40 ~~for an absentee ballot~~] a voter is a resident of a facility operated or
41 licensed by, or under the jurisdiction of, the department of mental
42 hygiene, or a resident of a facility defined as a nursing home or resi-
43 dential health care facility pursuant to subdivisions two and three of
44 section [~~two thousand eight~~] twenty-eight hundred one of the public
45 health law, or a resident of a hospital or other facility operated by
46 the Veteran's Administration of the United States, such absentee ballot
47 need not be so mailed or delivered to any such applicant but, may be
48 delivered to the voter in the manner prescribed by section 8-407 of this
49 [~~chapter~~] title if such facility is located in the county or city in
50 which such voter is eligible to vote.

51 2. When mailing an absentee ballot to a voter the board of elections
52 shall provide a domestic postage paid return envelope. When providing an
53 absentee ballot to a voter in-person, the board of elections shall offer
54 the voter a domestic postage paid return envelope and provide one if
55 requested.

1 § 6. Section 8-407 of the election law, as added by chapter 296 of the
2 laws of 1988, subdivisions 1, 3 and 15 as amended by chapter 195 of the
3 laws of 2001 and subdivision 6 as amended by chapter 326 of the laws of
4 1989, is amended to read as follows:

5 § 8-407. Voting by residents of nursing homes, residential health care
6 facilities, facilities operated or licensed, or under the jurisdiction
7 of, the department of mental hygiene or hospitals or facilities operated
8 by the Veteran's Administration of the United States. 1. The board of
9 elections of a county or city in which there is located at least one
10 facility operated or licensed, or under the jurisdiction of, the depart-
11 ment of mental hygiene, or a facility defined as a nursing home or resi-
12 dential health care facility pursuant to subdivisions two and three of
13 section [~~two thousand eight~~] twenty-eight hundred one of the public
14 health law or an adult care facility subject to the provisions of title
15 two of article seven of the social services law, or a hospital or other
16 facility operated by the Veteran's Administration of the United States
17 shall provide [~~that~~] residents of each such facility [~~for which such~~
18 ~~board has received twenty five or more applications for~~] absentee
19 ballots [~~from voters who are eligible to vote by absentee ballot in such~~
20 ~~city or county at such election, may vote by absentee ballot only~~] in
21 the manner provided for in this section. [~~Such board may, in its~~
22 ~~discretion, provide that the procedure described in this subdivision~~
23 ~~shall be applicable to all such facilities in such county or city with-~~
24 ~~out regard to the number of absentee ballot applications received from~~
25 ~~the residents of any such facility.~~]

26 2. Such a board of elections shall appoint, in the same manner as
27 other inspectors, one or more bi-partisan boards of inspectors, each
28 composed of two such inspectors. Such inspectors may be regular employ-
29 ees of such board of elections.

30 3. Not earlier than thirteen days before or later than the day before
31 such an election such a board of inspectors shall, between the hours of
32 nine o'clock in the morning and five o'clock in the evening, attend at
33 each such facility for the residents [~~of which the board of elections~~
34 ~~has custody of twenty five or more absentee ballots or, if the board of~~
35 ~~elections has so provided, each such facility for which the board has~~
36 ~~custody of one or more such absentee ballots, pursuant to the provisions~~
37 ~~of this chapter~~].

38 4. Each such board of inspectors may attend at more than one facility,
39 provided, however, that no such board of inspectors shall be assigned to
40 attend at more facilities than it reasonably can be expected to complete
41 within the time specified by this section.

42 5. The board of elections shall deliver to each board of inspectors
43 all [~~the~~] absentee ballots [~~in the custody of such board of elections~~
44 ~~which are addressed to~~] for residents of the facilities which such board
45 of inspectors is assigned to attend, together with one or more portable
46 voting booths of a type approved by the state board of elections and
47 such other supplies as such board of inspectors will require to
48 discharge its duties properly.

49 6. The board of elections, at least twenty days before each such
50 election, [~~or on the day after it shall have received the requisite~~
51 ~~number of applications for absentee ballots from the residents of any~~
52 ~~such facility, whichever is later,~~] shall communicate with the super-
53 intendent, administrator or director of each such facility to arrange
54 the day and time when the board of inspectors will attend at such facil-
55 ity. The board of elections shall keep a list of the day and time at

1 which the board of inspectors will attend at each such facility as a
2 public record at its office.

3 7. It shall be the duty of each such superintendent, administrator or
4 director to assist the board of inspectors attending such facility in
5 the discharge of its duties, including, but not limited to making avail-
6 able to such board of inspectors space within such facility suitable for
7 the discharge of its duties.

8 8. The board of inspectors shall deliver [~~each absentee ballot~~
9 ~~addressed to a resident of each such facility to such resident~~] absentee
10 ballots for residents to all facilities. If [~~such~~] any resident is phys-
11 ically disabled the inspectors shall, if necessary, deliver the ballot
12 to such voter at [~~his~~] such voter's bedside.

13 9. The board of inspectors shall arrange the portable voting booth or
14 booths provided and effect such safeguards as may be necessary to
15 provide secrecy for the votes cast by such residents.

16 10. If such a resident is unable to mark [~~his~~] such resident's ballot,
17 [~~he~~] such resident may be assisted in marking such ballot by the two
18 members of the board of inspectors or such other person as [~~he~~] such
19 resident may select. If a voter is unable to mark the ballot and unable
20 to communicate how [~~he~~] such voter wishes such ballot marked, such
21 ballot shall not be cast. No person who assists a voter to mark [~~his~~]
22 such voter's ballot pursuant to the provisions of this section, shall
23 disclose to any other person how any such ballot was marked.

24 11. [~~Except as otherwise provided in this section, all ballots cast~~
25 ~~pursuant to this section shall be cast in the manner provided by this~~
26 ~~chapter for the casting of absentee ballots.~~

27 ~~12.~~] After such ballots have been cast and sealed in the appropriate
28 envelopes, they shall be returned to such inspectors.

29 [~~13.~~] 12. Upon completion of its duties, the board of inspectors shall
30 forthwith return all such ballots to the board of elections.

31 [~~14.~~] 13. Any person, political committee or independent body entitled
32 to appoint watchers for the election district in which any such facility
33 is located [~~at the election for which such absentee ballots are cast,~~]
34 shall be entitled to appoint a watcher to attend such board of inspec-
35 tors at such facility.

36 [~~15.~~] 14. All ballots cast pursuant to the provisions of this section
37 which are received before the close of the polls on election day by the
38 board of elections charged with the duty of casting and canvassing such
39 ballots, may be delivered to the inspectors of election in the manner
40 prescribed by this chapter or retained at the board of elections and
41 cast and canvassed pursuant to the provisions of section 9-209 of this
42 chapter as such board shall, in its discretion, determine pursuant to
43 the provisions of subdivision one of this section.

44 § 7. Subdivision 1 of section 8-412 of the election law, as amended by
45 chapter 500 of the laws of 2024, is amended to read as follows:

46 1. The board of elections shall cause all absentee ballots received by
47 it before the close of the polls on election day and all ballots
48 contained in envelopes showing a cancellation mark of the United States
49 postal service or a foreign country's postal service, or showing a dated
50 endorsement of receipt by another agency of the United States govern-
51 ment, with a date which is ascertained to be not later than the day of
52 the election and received by such board of elections not later than
53 seven days following the day of election to be cast and counted [~~except~~
54 ~~that the absentee ballot of a voter who requested such ballot by letter,~~
55 ~~rather than application, shall not be counted unless a valid application~~
56 ~~form, signed by such voter, is received by the board of elections with~~

1 ~~such ballot~~]. For purposes of this section, any absentee ballot received
2 by the board of elections by mail that does not bear or display a dated
3 postmark shall be presumed to have been timely mailed or delivered if
4 such ballot bears a time stamp of the receiving board of elections indi-
5 cating receipt by such board on the day after the election. For the
6 purposes of this section, an absentee ballot shall be deemed to be
7 received by the board of elections before the close of the polls on
8 election day if it is deposited in an absentee ballot drop box before
9 the close of polls on election day. Ballots received in accordance with
10 this section shall be deemed timely and the failure of a board of
11 elections to time stamp such ballots received in this manner on or
12 before election day shall not prohibit the canvassing of such ballots.
13 At the close of the polls on election day, the board of elections shall
14 close every absentee ballot drop box and collect absentee ballots depos-
15 ited in such absentee ballot drop box.

16 § 8. The election law is amended by adding a new section 5-714 to read
17 as follows:

18 § 5-714. Computerized statewide voter registration list. 1. The New
19 York state board of elections shall, within one year of the effective
20 date of this section implement, in a uniform and nondiscriminatory
21 manner, a single, uniform, official, centralized, interactive, comput-
22 erized statewide voter registration database system. Such database system
23 shall be defined, maintained, and administered at the state level and
24 shall contain the voter registration lists maintained by each county
25 board of elections. Further, such database system shall contain the name
26 and registration information of every legally registered voter in the
27 state and shall assign a unique identifier to each legally registered
28 voter. The single, uniform, official, centralized, interactive, comput-
29 erized statewide voter registration database system required by this
30 section shall be referred to as the "centralized statewide registration
31 system".

32 2. The centralized statewide registration system and the computerized
33 statewide voter registration list shall be fully compliant with all
34 applicable requirements specified in section 303 of the federal "Help
35 America Vote Act of 2002", Pub.L. 107-252, codified at 42 U.S.C. sec.
36 15301 et seq and shall meet all applicable privacy requirements under
37 this chapter.

38 3. Within two years of the effective date of this section each county
39 board of elections shall maintain voter registration information by
40 utilizing the centralized statewide registration system developed or
41 acquired by the state board of elections under subdivision one of this
42 section. Prior to the implementation of the computerized statewide voter
43 registration list required by subdivision one of this section, if the
44 county chooses to maintain voter registration information on its own
45 computer system, the information required by law to be transmitted to
46 the New York state board of elections shall be transmitted in a media
47 format acceptable to the New York state board of elections and within
48 the time prescribed by the New York state board of elections.

49 4. (a) The centralized statewide registration system shall enable the
50 state board of elections to maintain voter registration information and
51 shall include such additional capabilities as may be necessary or desir-
52 able to enable the county boards of elections and the state board of
53 elections to carry out their responsibilities related to the conduct of
54 elections. Such additional capabilities may include but need not be
55 limited to the preparation of ballots, the identification of voting

1 districts for each address, access by county boards of elections to the
2 master list of registered electors.

3 (b) Within two years of the effective date of this section the comput-
4 erized statewide voter registration list maintained pursuant to this
5 section shall allow for:

6 (i) the management of absentee ballots, the preparation of official
7 abstracts of votes cast, the transmission of voting data from county
8 boards of election to the state board of elections, and reporting of
9 voting results on election night; and

10 (ii) access to the digitized signatures of electors in the centralized
11 statewide registration system for the purpose of comparing an elector's
12 signature in the system with the signature on the return envelope of an
13 absentee ballot, including by using a signature verification.

14 5. (a) Subject to available appropriations, the state board of
15 elections is responsible for the cost of acquiring computer hardware and
16 providing necessary training for the centralized statewide registration
17 system. The state board of elections shall promulgate rules specifying
18 whether such hardware is owned by the state or the counties or whether
19 and to what extent ownership may be shared between the state and the
20 counties. If the state provides system hardware to any county, it may
21 transfer ownership of the hardware to that county. The state board of
22 elections may promulgate rules providing that the county shall be solely
23 responsible for the support and maintenance of the hardware provided to
24 the counties.

25 (b) Within four years of the effective date of this section the state
26 board of elections shall make the centralized statewide registration
27 system software available at no charge to each county board of
28 elections.

29 (c) As soon as practicable, the department of state shall make the
30 master list of registered electors available at no charge on the inter-
31 net to county boards of election. This section shall not be construed to
32 require the state to provide or pay for internet connection services for
33 any county.

34 § 9. Section 11-302 of the election law, as amended by chapter 257 of
35 the laws of 2019, is amended to read as follows:

36 § 11-302. Special ballots for board of election employees. A person
37 who is an employee of the board of elections or who has been appointed
38 to serve as an inspector of elections, poll clerk or election coordina-
39 tor at a polling place other than the one at which [~~he or she~~] such
40 person is registered to vote, may deliver to the inspectors of election
41 of the election district in which [~~he or she~~] such person is registered,
42 or to the board of elections, at any time during the period in which an
43 application for an absentee ballot may be so delivered pursuant to the
44 provisions of this chapter, a written statement that [~~he or she~~] such
45 person will be unable to appear at the polling place for such election
46 district on the day of an election because [~~his or her~~] such person's
47 duties as an employee of such board or as an inspector, poll clerk or
48 election coordinator require [~~him or her~~] such person to be elsewhere.
49 The board of elections shall provide such voter a special ballot any
50 time prior to the close of the polls on election day, provided however
51 that the distribution of such ballots to such voters shall be timed to
52 afford such voters sufficient time to cast such ballots prior to the
53 close of the polls on election day. Absent affirmative proof of fraud
54 such ballots shall be presumed valid and cast. Such cast ballots may be
55 delivered to an office of such board of elections or to any board of
56 inspectors not later than the close of the polls on election day. Such

1 ballots shall be retained at the board of elections and cast and
2 canvassed pursuant to the provisions of section 9-209 of this chapter.

3 § 10. Subparagraph (ii) of paragraph (e) of subdivision 3 of section
4 8-302 of the election law, as separately amended by chapters 479 and 481
5 of the laws of 2023, is amended to read as follows:

6 (ii) They may swear to and subscribe an affidavit stating that they
7 have duly registered to vote, the address in such election district from
8 which they registered, that they remain a duly qualified voter in such
9 election district, that their registration poll record appears to be
10 lost or misplaced or that their name and/or their signature was omitted
11 from the computer generated registration list or such record indicates
12 the voter already voted when they did not do so or that they have moved
13 within New York state since they last registered, [~~the address from~~
14 ~~which they were previously registered and~~] the address at which they
15 currently reside, and at a primary election, the party in which they are
16 enrolled, or that such voter is eligible to vote pursuant to section
17 8-604 of this article. The inspectors of election shall offer such an
18 affidavit to each such voter whose residence address is in such election
19 district. Each such affidavit shall substantially comply with and be in
20 a form prescribed by the state board of elections, shall be printed on
21 an envelope of the size and quality used for an early mail ballot envel-
22 ope, and shall contain an acknowledgment that the affiant understands
23 that any false statement made therein is perjury punishable according to
24 law. Such form prescribed by the state board of elections shall request
25 information required to register such voter should the county board
26 determine that such voter is not yet registered and shall constitute an
27 application to register to vote. The voter's name and the entries
28 required shall then be entered without delay and without further inquiry
29 in the fourth section of the challenge report or in the place provided
30 in the computer generated registration list, with the notation that the
31 voter has executed the affidavit hereinabove prescribed, or, if such
32 person's name appears in such registration list, the board of elections
33 may provide a place to make such entry next to their name in such list.
34 The voter shall then, without further inquiry, be permitted to vote an
35 affidavit ballot provided for by this chapter. Such ballot shall there-
36 upon be placed in the envelope containing their affidavit, and the
37 envelope sealed and returned to the board of elections in the manner
38 provided by this chapter for protested official ballots, including a
39 statement of the number of such ballots. If a voter registration appli-
40 cation for a voter who casts an affidavit ballot pursuant to this
41 subparagraph was received by a board of elections by the tenth day prior
42 to the election, the board shall cast and count an affidavit ballot from
43 such voter, if otherwise valid, notwithstanding the fact that the
44 voter's name was omitted from a registration poll record or list of
45 registered voters.

46 § 11. This act shall take effect immediately.