

# STATE OF NEW YORK

8646--A

## IN SENATE

January 7, 2026

Introduced by Sen. GONZALEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Elections -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, the penal law and the executive law, in relation to the New York election officer protection act

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

1 Section 1. This act shall be known and may be cited as the "New York  
2 Election Officer Protection Act".

3 § 2. The election law is amended by adding a new section 3-422 to read  
4 as follows:

5 § 3-422. Prohibition against intimidation or obstruction of election  
6 officers. 1. (a) No person, whether acting under color of law or other-  
7 wise, may intimidate or attempt to intimidate an election officer for:

8 (i) urging or aiding any person to vote or attempt to vote;

9 (ii) exercising the powers or duties of an election officer; or

10 (iii) their status as a past or present election officer.

11 (b) A violation of this section shall be established if:

12 (i) A person uses or threatens to use any force, violence, restraint,  
13 abduction or duress, or inflicts or threatens to inflict any injury,  
14 damage, harm or loss, or in any other manner practices intimidation;

15 (A) that causes or will reasonably have the effect of preventing an  
16 election officer from executing their duties; or

17 (B) in whole or substantial part because the person against whom the  
18 conduct is directed is a past or present election officer; or

19 (ii) A person obstructs, impedes, or otherwise interferes with access  
20 to any polling place, election office, or voting equipment in any manner  
21 that causes or will reasonably have the effect of preventing an election  
22 officer from executing their duties.

23 2. (a) In any action or proceeding brought pursuant to this section,  
24 a rebuttable presumption that the defendant engaged in conduct intended  
25 to menace, harass, coerce, or otherwise intimidate an election officer,  
26 or to interfere with the administration of the election, shall be  
27 created if the plaintiff establishes that the defendant, while at a  
28 location used as a polling place: possessed a firearm, rifle, or shotgun  
29 in a manner that would constitute a violation of paragraph (g) of subdi-

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

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1 vision two of section 265.01-e of the penal law, where such weapon is  
2 visible to others at such polling location. For the purposes of this  
3 section, the terms "firearm", "rifle", and "shotgun" shall have the same  
4 meaning as such terms are defined in section 265.00 of the penal law.

5 (b) This presumption shall not apply to persons who are police offi-  
6 cers as defined in subdivision thirty-four of section 1.20 of the crimi-  
7 nal procedure law, or persons who are designated peace officers by  
8 section 2.10 of the criminal procedure law, while such persons are  
9 acting within the scope of their official duties.

10 3. Any aggrieved persons, county board of elections, the state board  
11 of elections, organization whose membership includes aggrieved persons  
12 or members of a protected class, organization whose mission, in whole or  
13 in part, is to ensure voting access and such mission would be hindered  
14 by a violation of this section, or the attorney general may file an  
15 action pursuant to this section in the supreme court of the county in  
16 which the alleged violation of this section occurred.

17 4. Upon a finding of a violation of any provision of this section, the  
18 court shall implement appropriate remedies and/or sanctions that are  
19 tailored to address the violation. Any party who shall violate any of  
20 the provisions of this section or who shall aid the violation of any of  
21 said provisions shall be liable to any prevailing plaintiff party for  
22 damages, including nominal damages for any violation, and compensatory  
23 or punitive damages for any intentional violation.

24 § 3. The penal law is amended by adding a new section 195.25 to read  
25 as follows:

26 § 195.25 Unlawful dissemination of personal information of an election  
27 officer.

28 1. A person is guilty of unlawful dissemination of personal informa-  
29 tion of an election officer when such person knowingly makes restricted  
30 personal information about an election officer, as defined in subdivi-  
31 sion twenty-five of section 1-104 of the election law, publicly avail-  
32 able;

33 (a) With the intent to threaten, intimidate, or incite the commission  
34 of a crime of violence against the election officer; or

35 (b) With the intent and knowledge that the restricted personal infor-  
36 mation will be used to threaten, intimidate, or facilitate the commis-  
37 sion of a crime of violence against the election officer.

38 2. (a) For the purposes of this section, "restricted personal informa-  
39 tion" shall mean identifying information regarding an individual,  
40 including but not limited to, names, telephone numbers, email addresses,  
41 and physical or mailing addresses, which the election officer has not  
42 made readily apparent to the public, or which the individual has not  
43 authorized another person or organization to make readily apparent to  
44 the public.

45 (b) For the purposes of this section, "publicly available" shall mean  
46 to publish, post, broadcast, or otherwise disseminate personal informa-  
47 tion in any manner, including through electronic or digital means, such  
48 that it is accessible to the general public.

49 Unlawful dissemination of personal information of an election officer  
50 is a class A misdemeanor.

51 § 4. The opening paragraph of section 108 of the executive law, as  
52 separately amended by chapters 222 and 521 of the laws of 2022, is  
53 amended to read as follows:

54 There is created in the office of the secretary of state a program to  
55 be known as the "address confidentiality program" to protect victims of  
56 domestic violence, victims of human trafficking, victims of kidnapping,

1 victims of a sexual offense, victims of stalking, [~~and~~] reproductive  
2 health care services providers, employees, volunteers, patients, or  
3 immediate family members of reproductive health care services providers,  
4 and election officers by authorizing the use of designated addresses for  
5 such victims and their minor children. The program shall be administered  
6 by the secretary of state.

7 § 5. Subdivision 1 of section 108 of the executive law is amended by  
8 adding a new paragraph (o) to read as follows:

9 (o) "Election officer" shall have the same meaning as such term is  
10 defined by subdivision twenty-five of section 1-104 of the election law.

11 § 6. Clauses (A) and (B) of subparagraph (i) of paragraph (a) of  
12 subdivision 2 of section 108 of the executive law, clause (A) as sepa-  
13 rately amended by chapters 222 and 521 of the laws of 2022, and clause  
14 (B) as amended by chapter 222 of the laws of 2022, are amended to read  
15 as follows:

16 (A) the applicant, or the minor or incapacitated person on whose  
17 behalf the application is made, is a victim of domestic violence, victim  
18 of human trafficking, victim of kidnapping, victim of a sexual offense,  
19 victim of stalking, an election officer, or a reproductive health care  
20 services provider, employee, volunteer, patient, or an immediate family  
21 member of a reproductive health care services provider;

22 (B) the applicant, or the minor or incapacitated person on whose  
23 behalf the application is made, has left [~~his or her~~] such applicant  
24 residence because of such violence or acts, provided, however, this  
25 clause shall not apply if the applicant is an election officer or a  
26 reproductive health care services provider, employee, volunteer,  
27 patient, or an immediate family member of a reproductive health care  
28 services provider;

29 § 7. Subparagraph (iv) of paragraph (a) of subdivision 2 of section  
30 108 of the executive law, as amended by chapter 222 of the laws of 2022,  
31 is amended to read as follows:

32 (iv) the actual address or addresses that the applicant requests not  
33 be disclosed because of the increased risk of domestic violence, a sexu-  
34 al offense, stalking, physical injury or in the case of an election  
35 officer or reproductive health care services provider, employee, volun-  
36 teer, patient, or an immediate family member of a reproductive health  
37 care services provider, other threats of violence; and

38 § 8. Subdivision 3 of section 108 of the executive law, as separately  
39 amended by chapters 222 and 521 of the laws of 2022, is amended to read  
40 as follows:

41 3. Designation of agencies to assist applicants. The secretary shall  
42 designate state, local or nonprofit agencies that provide counseling,  
43 referral, shelter or other specialized services to victims of domestic  
44 violence, victims of human trafficking, victims of kidnapping, victims  
45 of a sexual offense, victims of stalking, election officers, and repro-  
46 ductive health care services providers, employees, volunteers, patients,  
47 or immediate family members of reproductive health care services provid-  
48 ers to assist persons applying to be program participants. Such persons  
49 providing assistance shall be trained by the secretary. Any assistance  
50 and counseling rendered by an officer of the secretary or [~~his or her~~]  
51 their designees to applicants shall in no way be construed as legal  
52 advice.

53 § 9. This act shall take effect on the one hundred eightieth day after  
54 it shall have become a law.