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:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. A person is guilty of unlawful dissemination of personal information of an election officer when such person knowingly makes restricted personal information about an election officer, as defined in subdivision twenty-five of section 1-104 of the election law, publicly available:

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

(b) With the intent and knowledge that the restricted personal information will be used to threaten, intimidate, or facilitate the commission of a crime of violence against the election officer.

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

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

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

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

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

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

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

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

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

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

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

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

(iv) the actual address or addresses that the applicant requests not be disclosed because of the increased risk of domestic violence, a sexual offense, stalking, physical injury or in the case of **an election officer or** reproductive health care services provider, employee, volunteer, patient, or an immediate family member of a reproductive health care services provider, other threats of violence; and

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

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

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