§ 8-302. Voting; verification of registration. 1. At all elections held pursuant to the provisions of this chapter two inspectors representing different political parties shall act together at all times in supervising the use of the registration records and in verifying the rights of persons to vote on the basis of such records.

2. The voter shall give the voter's name and the voter's residence address to the inspectors. An inspector shall then loudly and distinctly announce the name and residence of the voter.

2-a. If a voter's name appears in the ledger or computer generated registration list with a notation indicating that the board of elections has issued the voter an early mail, absentee, military or special ballot, such voter shall not be permitted to vote on a voting machine at an early voting site or on election day but may vote by affidavit ballot.

2-b. (a) If a voter's name appears in the ledger or computer generated registration list with a notation indicating that the voter's identity was not yet verified as required by the federal Help America Vote Act, the inspector shall require that the voter produce one of the following types of identification before permitting the voter to cast his or her vote on the voting machine:

(i) a driver's license or department of motor vehicles non-driver photo ID card or other current and valid photo identification;

(ii) a copy of a current utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the voter.

(b) If the voter produces an identification document listed in paragraph (a) of this subdivision, the inspector shall indicate so in the ledger or computer generated registration list, the voter will be deemed verified as required by the federal Help America Vote Act and the voter shall be permitted to cast his or her vote on the voting machine.

(c) If the voter does not produce an identification document listed in paragraph (a) of this subdivision, the voter shall only be entitled to vote by affidavit ballot unless a court order provides otherwise.

3. (a) If an applicant is challenged, the board, without delay, shall either enter his name in the second section of the challenge report together with the other entries required to be made in such section opposite the applicant's name or make an entry next to the voter's name in the computer generated registration list or in the place provided in the computer generated registration list.

(b) A person who claims to have moved to a new address within the election district in which he or she is registered to vote shall be permitted to vote in the same manner as other voters unless challenged on other grounds. The inspectors shall enter the names and new addresses of all such persons in either the first section of the challenge report or in the place provided in the computer generated registration list and shall also enter the new address next to such person's address on such computer generated registration list. When the registration poll records of persons who have voted from new addresses within the same election district are returned to the board of elections, such board shall change the addresses on the face of such registration poll records without completely obliterating the old addresses and shall enter such new addresses and the new addresses for any such persons whose names were in computer generated registration lists into its computer records for such persons.

(c) A person who claims a changed name shall be permitted to vote in the same manner as other voters unless challenged on other grounds. The inspectors shall either enter the names of all such persons in the first section of the challenge report or in the place provided in the computer generated registration list, in the form in which they are registered, followed in parentheses by the name as changed or enter the name as changed next to such voter's name on the computer generated registration list. The voter shall sign first on the registration poll record or in the computer generated registration list, the name under which the voter is registered and, immediately above it, the new name, provided that in such registration list, the new name may be signed in the place provided. When the registration poll record of a person who has voted under a new name is returned to the board of elections, such board shall change the voter's name on the face of each registration record without completely obliterating the old one, and thereafter such person shall vote only under his or her new name. If a voter has signed a new name in

a computer generated registration list, such board shall enter such voter's new name and new signature in such voter's computer record.

(d) If an applicant requests assistance in voting and qualifies therefor, the board shall provide assistance as directed by this chapter, and shall without delay either enter such applicant's name and the other entries required in the third section of the challenge report or make an entry next to such applicant's name in the computer generated registration list or in the place provided in such registration list.

(e) Whenever a voter presents himself or herself and offers to cast a ballot, and he or she claims to live in the election district in which he or she seeks to vote but no registration poll record can be found for him or her in the poll ledger or his or her name does not appear in the computer generated registration list or his or her signature does not appear next to his or her name in such registration list or his or her registration poll record or the computer generated registration list does not show him or her to be enrolled in the party in which he or she claims to be enrolled, a poll clerk or election inspector shall consult a map, street finder or other description of all of the polling places and election districts within the political subdivision in which said election district is located and if necessary, contact the board of elections to obtain the relevant information and advise the voter of the correct polling place and election district for the residence address provided by the voter to such poll clerk or election inspector. Thereafter, such voter shall be permitted to vote in said election district only as hereinafter provided:

(i) He or she may present a court order requiring that he or she be permitted to vote. At a primary election, such a court order must specify the party in which the voter is permitted to vote. The voter shall be required to sign their full name on top of the first page of such order, together with the voter's registration serial number, if any, and the voter's name and the other entries required shall then be entered without delay in the fourth section of the challenge report or in the place provided in the computer generated registration list, or, if such person's name appears on such registration list, the board of elections may provide a place to make such entry next to his or her name on such list. The voter shall then be permitted to vote in the manner otherwise prescribed for voters whose registration poll records are

found in the ledger or whose names are found on the computer generated registration list; or

(ii) They may swear to and subscribe an affidavit stating that they have duly registered to vote, the address in such election district from which they registered, that they remain a duly qualified voter in such election district, that their registration poll record appears to be lost or misplaced or that their name and/or their signature was omitted from the computer generated registration list or such record indicates the voter already voted when they did not do so or that they have moved within New York state since they last registered, the address from which they were previously registered and the address at which they currently reside, and at a primary election, the party in which they are enrolled, or that such voter is eligible to vote pursuant to section 8-604 of this article. The inspectors of election shall offer such an affidavit to each such voter whose residence address is in such election district. Each such affidavit shall be in a form prescribed by the state board of elections, shall be printed on an envelope of the size and quality used for an early mail ballot envelope, and shall contain an acknowledgment that the affiant understands that any false statement made therein is perjury punishable according to law. Such form prescribed by the state board of elections shall request information required to register such voter should the county board determine that such voter is not yet registered and shall constitute an application to register to vote. The voter's name and the entries required shall then be entered without delay and without further inquiry in the fourth section of the challenge report or in the place provided in the computer generated registration list, with the notation that the voter has executed the affidavit hereinabove prescribed, or, if such person's name appears in such registration list, the board of elections may provide a place to make such entry next to their name in such list. The voter shall then, without further inquiry, be permitted to vote an affidavit ballot provided for by this chapter. Such ballot shall thereupon be placed in the envelope containing their affidavit, and the envelope sealed and returned to the board of elections in the manner provided by this chapter for protested official ballots, including a statement of the number of such ballots. If a voter registration application for a voter who casts an affidavit ballot pursuant to this subparagraph was received

by a board of elections by the tenth day prior to the election, the board shall cast and count an affidavit ballot from such voter, if otherwise valid, notwithstanding the fact that the voter's name was omitted from a registration poll record or list of registered voters.

3-a. The inspectors shall also give to every person whose address is in such election district for whom no registration poll record can be found and, in a primary election, to every voter whose registration poll record does not show him to be enrolled in the party in which he wishes to be enrolled or who claims to be incorrectly identified as having already voted, a copy of a notice, in a form prescribed by the state board of elections, advising such person of his right to, and of the procedures by which he may, cast an affidavit ballot or seek a court order permitting him to vote, and shall also give every such person who does not cast an affidavit ballot, an application for registration by mail.

3-b. In every election district in which the candidates for any office or position in a primary election have been assigned numbers by the board of elections because of identical or similar names, the inspectors shall also give to every person eligible to vote in such primary, a copy of a leaflet prepared by the board of elections which contains biographical information about such candidates.

3-c. At the time that an individual casts an affidavit ballot, the appropriate state or local election official shall give the individual written information that states that any individual who casts an affidavit ballot will be able to ascertain under the system established under subdivision four of section 9-212 of this chapter whether the vote was counted, and, if the vote was not counted, the reason that the vote was not counted.

4. At a primary election, a voter whose registration poll record is in the ledger or computer generated registration list shall be permitted to vote only in the primary of the party in which such record shows the voter to be enrolled unless the voter shall present a court order pursuant to the provisions of subparagraph (i) of paragraph (e) of

subdivision three of this section requiring that the voter be permitted to vote in the primary of another party, or unless the voter shall present a certificate of enrollment issued by the board of elections, not earlier than one month before such primary election, pursuant to the provisions of this chapter which certifies that the voter is enrolled in a party other than the one in which such record shows the voter to be enrolled, or unless he or she shall subscribe an affidavit pursuant to the provisions of subparagraph (ii) of paragraph (e) of subdivision three of this section.

5. Except for voters unable to sign their names, no person shall be permitted to vote without first identifying himself or herself as required by this chapter.