



NEW YORK STATE SENATOR

Andrea Stewart-Cousins

## New York's Broken Democracy: Senate Democrats Fight To Fix It

ANDREA STEWART-COUSINS January 23, 2018

| ISSUE: **VOTING REFORM**



Albany, NY - The Senate Democratic Conference today announced a series of bills which will protect and expand New Yorkers' voting rights. While the State Senate Republican Majority has repeatedly blocked efforts to ensure New Yorkers have unfettered access to the democratic process, Senate Democrats will continue to fight for common sense reforms and modernizations to the state's electoral process.

"Dr. Martin Luther King once said voting is the foundation stone of political action. Well here in New York that stone is crumbling. New York ranks near the bottom of voter

participation,” Senate Democratic Leader Andrea Stewart-Cousins said. “We need to change that immediately. The Senate Democrats have stepped up to advance a package of pro-voter legislation that will make voting easier. Our bills will modernize voter registration, implement early voting, protect voters’ rights, and cut red tape which has kept far too many New Yorkers from exercising their Constitutional right.”

New York has a dismal record on voting participation, and has been ranked near the bottom in the entire nation. To address this problem and strengthen the democratic process in New York State, Senate Democrats have introduced a series of bills that will enable early voting, modernize voter registration, protect citizens from voter suppression efforts, cut voting system bureaucracy and red tape, and combat disenfranchisement efforts.

The legislation advanced by the Senate Democratic Conference will establish:

- **Early Voting:** This bill, S.7400 introduced by Senator Brian Kavanaugh, Ranking Member on the Senate Elections Committee, would establish an Early Voting system to permit eligible voters in New York State to vote in person during a designated period prior to any primary, special, or general election day. This bill will also establish an Early Voting Fund to cover the expenses of early voting so that local governments are not unfairly burdened.
- **The Deceptive Practices and Voter Suppression Act:** This bill, S.2952 introduced by Senate Democratic Leader Andrea Stewart-Cousins, creates a new electoral crime of voter suppression, punishable as a misdemeanor.
- **The Voter Empowerment Act:** This bill, S.3304 introduced by Senate Democratic Deputy Leader Michael Gianaris creates a modern voter registration system that will reduce costs for processing voter registrations and maintain complete and accurate voter registration lists. This legislation will help reduce the inaccuracy and disenfranchisement caused by human error while also helping to prevent fraud. The Voter Empowerment Act will also

automate voter registration for eligible consenting citizens at designated government agencies; permit the pre-registration of sixteen and seventeen year-olds; transfer the registrations of New Yorkers who move within the state; provide for access to voter registration records and the registration of eligible citizens over the Internet; and move the deadlines for voter registration and party enrollment.

- **Consolidation of Federal and State Primaries:** This bill, S.3562 introduced by Senate Democratic Leader Andrea Stewart-Cousins, would save tax payer dollars and make state primary elections the same day as federal primary elections. It also ensures that New York State's election law complies with the federal Military and Overseas Voter Empowerment (MOVE) Act.
- **Constitutional Amendment to Repeal 10-Day Voter Registration Requirement:** This bill, S.2478A introduced by Senate Democratic Deputy Leader Michael Gianaris, is a concurrent resolution that amends Section 5 of Article 2 of the Constitution to eliminate the ten day advance voter registration requirement. Once adopted, the Legislature would set guidelines for this provision.
- **The Voter Friendly Ballot Act:** This bill, S.7538, introduced by Senator Brian Kavanagh will enact changes to the layout of the ballot to be more accessible and easy to understand for voters. This legislation was carried by Senator Kavanagh when he served in the State Assembly, where it was passed last year by a vote of 145-1.
- **Prohibiting Election Districts from being Split On and Off Campus:** This bill, S.3092 introduced by Senator Kevin Parker prohibits election districts being drawn in such a way that they are partly on and partly off a college or university campus or other contiguous college or university property with 300 or more registered voters, excluding inactive voters. It would also require that the poll sites for election districts serving such concentrations of college or university voters shall be on the campus or college or university property, or at a site approved by the college or university.

- **Change of Party Enrollment Reform:** This bill, S.5615 introduced by Senator Liz Krueger, would allow a voter who has changed their enrollment from one party to another to vote in a primary election unless the change is submitted during the ninety days prior to a primary election.
- **Expansion of Affidavit Voting:** This bill, S.4074 introduced by Senator Martin Malavé Dilan, would allow for the casting and counting of ballots by voters, otherwise eligible, when the voter appears at the wrong Election District but within the proper county.
- **Reduce Restrictions on Affidavit Voting:** This bill, S.1265 introduced by Senator Leroy Comrie eliminates the requirement to include previous registration address when applying for an affidavit ballot. The bill also adds language that requires a voter to substantially comply with the law regarding the form and filing of affidavits and affidavit ballots.
- **Uniform Closing Night Procedures Act:** This bill, S.7090 introduced by Senator Brian Kavanagh, Ranking Member on the Senate Elections Committee, would streamline process for closing poll sites at the end of an Election Day to better maintain integrity in the process by ensuring an orderly and uniform procedure.
- **No-Fault Absentee Voting:** This bill, S.840, introduced by Senator Leroy Comrie would amend the state Constitution to allow for any voter to request to vote by mail without declaring any reason for doing so.
- **Reduce Voter Registration Timeline Requirements:** This bill, S.7131, introduced by Senator Brian Kavanagh, will lower the statutory registration deadline from 25 to 15 days for primary elections and from 20 days to 10 days for the general election. This corresponds in part with the bill to allow for same day registration via the proposed Constitutional Amendment and would be a short-term fix while the Constitutional Amendment makes its way through the legislative process.

The Senate Democrats also issued a report detailing where New York State stands compared with other states on issues like early voting, same day registration, combatting voter disenfranchisement, and other pro-voter issues. The full report is available here:

<https://www.scribd.com/document/369800086/NYS-Senate-Democratic-Conference-Voting-Reforms-and-Policy-Report>

Bill Sponsor and Senate Democratic Deputy Leader Michael Gianaris said, “At a time in our country where voting rights are under assault from all corners, New York must live up to its reputation as a progressive leader. Access to the ballot box should be easy and fair. I urge my colleagues to enact these proposals as soon as possible to remove obstacles to voting.”

Bill Sponsor and Ranking Member on the Senate Elections Committee Senator Brian Kavanagh, said, “Free, fair, and accessible elections are the bedrock of our system of government -- but for too long, New York 's antiquated election laws have disenfranchised voters and depressed turnout. The simple truth is we’ ve allowed the laws governing our elections to atrophy, and New York is falling further and further behind many other states. We simply cannot accept this any longer. Elected officials work for the voters – and we must make it easier for voters to be heard at the ballot box. This package is full of commonsense reforms – from early voting, to clearer ballots, to a streamlined registration process, to no-excuse absentee ballots, and beyond. I want to thank Leader Stewart-Cousins for her leadership, and I look forward to working with our colleagues in the Senate, the Assembly, and the Governor’ s Office to pass these bills this session.”

Bill Sponsor Senator Leroy Comrie said, “Voting should be an equal right of all, not a costly inconvenience for working families. It is past time that New York joins the majority of states that allow no-excuse absentee voting. I am proud to stand with Leader Stewart-Cousins and

my colleagues in the Democratic Conference to put forth this package of bills to make our electoral system more equitable and accessible for all New York voters.”

Bill sponsor Senator Martin Malavé Dilan said, “I’ll say the same thing I said last year about our attempts to modernize voting in New York because again, no effort across the aisle has been made to improve access and voter turnout continues to plummet: anything that does not improve voter access suppresses it. When one in four qualified voters cast ballots for mayor of the nation’s largest city, and proposals to improve turnout are ignored, there is a deliberate and concerted effort to undermine New York voters.”

Bill sponsor Senator Liz Krueger said, “New York’s convoluted voting laws discourage participation in our electoral process and are one important reason why our state has such abysmal voter turnout. I am pleased to join my colleagues in advancing this important package of bills that will modernize voting procedures, remove barriers to voting and allow New Yorkers more opportunities to fully participate in our political process.”

Bill sponsor Senator Kevin Parker said, “I stand firmly with my colleagues in the Democratic Conference as we work to pass legislation that will improve voting rights for New York State residents. It is our duty to ensure our constituents have equal access and opportunity to cast their vote during each election. Our overall goal is to make the process more efficient and less burdensome so that more residents will be encouraged to vote and participate in the process.”

Senator Joseph P. Addabbo, Jr. said, “Expanding and protecting voters rights here in New York is paramount in making the process easier and more accessible for a larger number of voters. Having the second lowest voter participation in the nation does not reflect well on our state. Voting is the cornerstone of our democracy, and if we want to continue to have a strong democracy, we need to find measures to allow more individuals to get to the ballot

box. These bills, if made into laws, will go a long way in ensuring more New Yorkers can cast their vote.”

Senator Jamaal T. Bailey said, “Voting rights were once not guaranteed for women and people of color. Currently, New York has the second-to worst voting record in the country. The power to vote is important, when we vote our voice is heard. Instead of making it more difficult to cast a ballot, the Democratic Conference has organized a package to expand voting rights. This legislative package will protect and ease the process of voting for all New Yorkers.”

Senator Brian Benjamin said, “The strength of a democracy is found in the mass civic engagement of its people. Under its current voting system, New York makes it unnecessarily harder for people to assert their right to vote. Without delay, New York must take the necessary legislative actions to modernize its voting system. Passing such programs as same day voter registration, early voting, and no-excuse absentee voting will have a profound effect on New York, as it will create much needed opportunities for traditionally marginalized groups like people of color, low-income families, and young people to have their voices heard. To build a fairer and freer New York, we must remove any and all barriers to voting, ensuring that everyone’s voice and vote is equally valued.”

Senator Neil Breslin said, “Having fair and open elections is part of the very foundation of our democracy. This legislative package put forth by the Senate Democratic Conference strikes the right balance between making it easier for people to vote, while at the same time ensuring that voter’s rights are protected.”

Senator John Brooks said, “The right to vote and participate in elections is the bedrock that our nation was founded on. The fact that we see so many obstacles to exercising that right must be of concern to all. It is time for real election reform: we need to expand voter access

by implementing early voting and no-fault absentee voting, modernize voter registration laws, and protect voters from deceptive suppression tactics.”

Senator Brad Hoylman said, “New York’s electoral system is at best ineffective and at worst downright discriminatory. Without an active and engaged citizenry, our state is bound to become a government of, by, and for special interests. Under the leadership of Andrea Stewart-Cousins, Senate Democrats are ready to deliver on the promise of reform and help restore the integrity our electoral institutions.”

Senator Velmanette Montgomery said, “There is nothing more powerful than an empowered and informed electorate. Now, more than ever it is important to strengthen and uphold democratic values. In New York, we pride ourselves on progressivism and part of that means creating an environment where individuals are encouraged to take part in the political process. I am proud to join my colleagues in the Senate Democratic Conference to support reforms such as early voting, extending pre-registration to 16 year olds, consolidating state and federal primaries, and preventing voter suppression efforts.”

Senator Roxanne Persaud said, “Voting is the cornerstone of our democracy. Ensuring that voters have the access and tools they need, and reasonable registration deadlines, is the only way to ensure our ability to participate in our government.”

Senator Gustavo Rivera said, “Antiquated voting laws are blocking New Yorkers from freely exercising their right to vote and having their voices heard. We need to drastically reform our voting laws. I am proud to join my colleagues in the Democratic Conference in pushing a package of legislation that aims to increase New Yorkers' access to the polls and remove obstacles that currently prevent them from casting their vote.”



Senator Toby Ann Stavisky said, “New York has some of the worst voter participation in the nation and so much of that is due to a lack of voting reforms. These bills are common sense solutions to a long existing problem. It is our duty to ensure voting, a fundamental right in this nation, is accessible as possible.”

Kirsten John Foy, Northeast Regional Director for the National Action Network said, “This package of bills represents to most progressive vision for elections reforms in generations in New York. Senator Stewart-Cousins is providing the leadership that is necessary to reform our election system and strengthen democracy here in New York. I look forward to working with New Yorkers on bringing New York 's democracy into the 21st century!”

Jennifer Wilson, Legislative Director for the League of Women Voters of NYS, said, “New York State voters face many difficulties on Election Day: long lines, limited polling hours, sudden changes in poll site locations, and restricted opportunities to register or change party affiliation. It’s no wonder that New York State continues to rank among the worst in the nation in voter turnout. We applaud the Senate Democratic Caucus for once again pushing a package of voting reforms that would effectively remove these barriers and empower voters. We hope to see many of these reforms pass this year.”

Gwen Pope, President of the Albany NAACP, said “53 years after the signing of the Federal Voting Rights Act it is a crying shame that African Americans continue to be shut out of the voting process through the many barriers that exist. It is the plan of the Albany NAACP to continue to fight for a fair system until all barriers are eliminated. I am glad to stand with those who will also fight to let all of NY vote. The Albany Branch will push forward with a strong Voter Education and Voter Registration Drive and a strong ‘Get Out the Vote.’”

Jessica Wisneski, Deputy Director of Citizen Action of New York, said, “Voting rights are the bedrock of a healthy democracy. The Senate Democrats’ package of election and voting

reform should be moved swiftly through the Senate, where they would be matched with a solid set of reforms that the Assembly has been pushing for years. The only excuse not to pass this package is a desire to maintain the status quo, allowing the already rich and powerful to hold onto their power in Albany. This excuse is simply not acceptable to the people of New York.”

Susan Lerner, Executive Director of Common Cause/NY, said, “It’s time for New York to get in line with 37 other states and adequately fund early voting in this year’s budget. New York continually ranks low for voter turn-out – and that’s not because people don’t want to vote, it’s because our archaic laws restrict us from doing so. This is a non-partisan, no brainer: pass early voting and let New Yorkers vote.”

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#### RELATED LEGISLATION

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### **2017-S7400**

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- Introduced
  
- - In Committee Assembly
  - In Committee Senate
  
- - On Floor Calendar Assembly
  - On Floor Calendar Senate

- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Relates to establishing early voting and the New York state early voting fund

January 12, 2018

In Senate Committee [Rules](#)

Sponsored by [Brian Kavanagh](#)

Do you support this bill?

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## 2017-S2952

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- Introduced
- ○ In Committee Assembly
  - In Committee Senate
- ○ On Floor Calendar Assembly
  - On Floor Calendar Senate

- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Prohibits deceptive practices and the suppression of voters, and increases penalties for violations of the elective franchise

January 18, 2017

In Senate Committee [Elections](#)

Sponsored by [Andrea Stewart-Cousins](#)

Do you support this bill?

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## 2017-S3304

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- Introduced
- ○ In Committee Assembly
  - In Committee Senate
- ○ On Floor Calendar Assembly
  - On Floor Calendar Senate

- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Enacts the voter empowerment act of New York

January 20, 2017

In Senate Committee [Rules](#)

Sponsored by [Michael Gianaris](#)

Do you support this bill?

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## 2017-S3562

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- Introduced
- ○ In Committee Assembly
  - In Committee Senate
- ○ On Floor Calendar Assembly
  - On Floor Calendar Senate

- ◦ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Relates to primary elections and the timely transmission of ballots to military voters stationed overseas

January 24, 2017

In Senate Committee [Veterans, Homeland Security and Military Affairs](#)

Sponsored by [Andrea Stewart-Cousins](#)

Do you support this bill?

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## 2017-S2478A

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- Introduced
- ◦ In Committee Assembly
  - In Committee Senate
- ◦ On Floor Calendar Assembly
  - On Floor Calendar Senate

- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Removes ten day advance voter registration requirement

January 13, 2017

In Senate Committee [Judiciary](#)

Sponsored by [Michael Gianaris](#)

Do you support this bill?

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## 2017-S7538

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- Introduced
- ○ In Committee Assembly
  - In Committee Senate
- ○ On Floor Calendar Assembly
  - On Floor Calendar Senate

- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Enacts the voter friendly ballot act; repealer

January 22, 2018

In Senate Committee [Elections](#)

Sponsored by [Brian Kavanagh](#)

Do you support this bill?

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## 2017-S3092

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- Introduced
- ○ In Committee Assembly
  - In Committee Senate
- ○ On Floor Calendar Assembly
  - On Floor Calendar Senate



- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Makes provisions regarding the designation of polling places on college campuses

January 19, 2017

In Senate Committee [Elections](#)

Sponsored by [Kevin S. Parker](#)

Do you support this bill?

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## 2017-S5615

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- Introduced
- ○ In Committee Assembly
  - In Committee Senate
- ○ On Floor Calendar Assembly
  - On Floor Calendar Senate

- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
- 

Relates to voter enrollment

April 20, 2017

In Senate Committee [Elections](#)

Sponsored by [Liz Krueger](#)

Do you support this bill?

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## 2017-S4074

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- Introduced
- ○ In Committee Assembly
  - In Committee Senate
- ○ On Floor Calendar Assembly
  - On Floor Calendar Senate

- ◦ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Requires counting affidavit ballots of eligible voters if a voter appears at a polling place in the correct county but in the incorrect election district

February 02, 2017

In Senate Committee [Elections](#)

Sponsored by [Martin Malavé Dilan](#)

Do you support this bill?

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## 2017-S1265

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- Introduced
- ◦ In Committee Assembly
  - In Committee Senate
- ◦ On Floor Calendar Assembly
  - On Floor Calendar Senate

- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor

- Eliminates requirement that affidavits subscribed by voters contain the address where he or she was previously registered and substantially comply with a form prescribed by state board of elections

January 09, 2017

In Senate Committee [Elections](#)

Sponsored by [Leroy Comrie](#)

Do you support this bill?

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## 2017-S7090

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- Introduced
  - In Committee Assembly
    - In Committee Senate
  - On Floor Calendar Assembly

- On Floor Calendar Senate

- ◦ Passed Assembly

- Passed Senate

- Delivered to Governor

- Signed By Governor

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Relates to establishing the uniform election night procedure act

December 08, 2017

In Senate Committee [Elections](#)

Sponsored by [Brian Kavanagh](#)

Do you support this bill?

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## 2017-S840

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- Introduced

- ◦ In Committee Assembly

- In Committee Senate

- ◦ On Floor Calendar Assembly

- On Floor Calendar Senate

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- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Authorizes ballot by mail by removing cause for absentee ballot voting

January 05, 2017

In Senate Committee [Judiciary](#)

Sponsored by [Leroy Comrie](#)

Do you support this bill?

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## 2017-S7131

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- Introduced
- ○ In Committee Assembly
  - In Committee Senate
- ○ On Floor Calendar Assembly
  - On Floor Calendar Senate

- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Reduces the time for mailing and receipt of registration application to constitutional minimum

December 08, 2017

In Senate Committee [Elections](#)

Sponsored by [Brian Kavanagh](#)

Do you support this bill?