



NEW YORK STATE SENATOR

Andrea Stewart-Cousins

## Protecting New York's Democracy: Senate Democrats Issue Report, Sponsor Bills To Fix Election Laws

SENATOR STEWART-COUSINS May 1, 2018

| ISSUE: **ELECTION LAW, ELECTION, VOTING REFORM**



(Albany, NY) The Senate Democratic Conference today unveiled a survey and report that outlined a series of problems with New York's currently electoral system which have contributed to low voter turnout. To address these problems, Senate Democrats also rolled out a series of bills to ease access to voting, protect voters' rights, and cut bureaucratic red tape.

“New York has embarrassingly low voting rates and that is a major problem,” Senate Democratic Leader Andrea Stewart-Cousins said. “We need to fix New York’s broken democracy. Government should make it easier for citizens to vote, not put up unnecessary hurdles. That is why we need to act on the pro-voter bills my Senate Democratic colleagues have introduced. Implementing early voting, easing voter registration, and combating voter disenfranchisement efforts will help encourage more New Yorkers to take part in our democracy.”

The Senate Democratic report, *Why Don’t More New Yorkers Vote? A Snapshot Identifying Low Voter Turnout*, was written following a snapshot survey conducted with New Yorkers who did not participate in the 2016 General Election despite being eligible to vote. The survey highlighted potential causes for New York’s dismal record on voting participation, ranking 41st in the nation following the 2016 General Election. To view the full report and survey, please visit: <https://www.scribd.com/document/377827073/05-01-18-Why-Don-t-More-New-Yorkers-Vote-A-Statewide-Snapshot-Identifying-Low-Voter-Turnout>.

Key findings from the survey include:

79% of respondents said they would be more likely to vote in an election if early voting was enacted.

76% of respondents said they would be more likely to vote in an election if no-excuse absentee voting was enacted.

81% of respondents who live in counties with voting hours from 12:00 – 9:00 PM on primary day said they would be more likely to vote in an election if voting hours were extended to 6:00 AM – 9:00 PM.

28% of respondents said they have missed an election because of work or school obligations.

To address these findings and strengthen the democratic process in New York State, Senate Democrats have introduced a series of bills that will enable early voting and no-excuse absentee voting, modernize and expand voter registration, extend Primary Election voting hours and ensure uniformity throughout the state, and expand language options for ballots.

The legislation advanced by the Senate Democratic Conference will establish:

**Early Voting:** This bill, S.7400-A introduced by Senator Brian Kavanagh, 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.

**No-Excuse 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 reason.

**Automatic Voter Registration:** This bill, S.3409 introduced by Senator Kevin Parker, would automatically register voters who interact with most state or local agencies unless they affirmatively opt not to do so.

**The Voter Empowerment Act:** This bill, S.3304 introduced by Senator 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, among other things,

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.

Pre-Registration for 16- and 17-Year Olds: This bill, S.4440 introduced by Senator Velmanette Montgomery, will enable 16- and 17-year olds to pre-register to vote.

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.

Primary Voting Hours Consistency: This bill, S.7264 introduced by Senator Dave Valesky, would ensure that primary voting hours across the State will be uniform and polling places will be open from 6:00 AM to 9:00 PM on Primary Election days.

Consolidation of Federal and State Primaries: This bill, S.3562-A 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.

Expanded Language Options for Ballots: Senate Democratic Conference members have introduced legislation to ensure voters whose first language is not English understand their ballots and the voting process. These bills, S.5602 introduced by Senator David Carlucci, S.3869 introduced by Senator Leroy Comrie, and S.5825 introduced by Senator Diane Savino, would increase available materials in Haitian Creole, Bengali, Punjabi, Hindi, and Russian in areas with large numbers of voters who speak those languages.

Advanced Notice of Elections: To ensure voters are well-informed and aware of upcoming elections, Senate Bills S.5527 introduced by Senator Tony Avella and S.6733 introduced by Senator Brian Benjamin, would require Boards of Election to mail notices to voters shortly before all Primary, General, and Special Elections.

Senate Democratic Deputy Leader Jeff Klein said, “It is unacceptable that New York State ranked 41st in the nation for voter turnout in the 2016 general election. This Senate Democratic Conference report demonstrates what we have known all along – our state’s archaic voting rules are lagging behind the nation, and prevent New Yorkers from exercising their constitutional right to vote. Early voting, flexible voter registration, no-excuse absentee ballots, and clear information will make the difference in New York State elections. We must eliminate barriers to voting and pass this reform package now.”

Bill Sponsor and Chair of the Senate Democratic Conference Senator 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.”

Senate Democratic Policy Group Chair Senator Brad Hoylman said, “Voter turnout in New York is a national embarrassment. Just last week, fewer than one in four voters went to the polls in New York’s special elections for the State Senate. Today, as the Chair of the Democratic Policy Group, I’m proud to stand with Leader Andrea Stewart-Cousins and my Senate Democratic Conference colleagues to deliver on proven reforms to increase voter participation and help restore the integrity of our electoral institutions. Nothing less than the legitimacy of our democratic institutions depends on it.”

Bill Sponsor and Ranking Member on the Senate Elections Committee Senator Brian Kavanagh, said, “All New Yorkers who are eligible to vote should be able to cast their ballots and make their voices heard — but right now, our election laws place too many obstacles in the way. From restricting voting to just one day, to unreasonable registration deadlines, to limited voting hours, barriers abound. When more people are able to vote, our elections — and our government — function better. We cannot continue to disenfranchise New Yorkers simply because they have other commitments like work, school, childcare, or long commutes. I look forward to working with my colleagues to break down these barriers and make our elections as democratic as possible.”

Bill Sponsor Senator Tony Avella said, “Voter participation in elections is the lifeblood of our democracy. However, voter participation in New York State has been on the steady decline since the 1950’s when in 1953 the Mayor of the City of New York was elected with 93% of the eligible voters casting a ballot. 60 years later in 2013, only 24% of voters who were eligible cast a ballot which, at the time, was a record low for that race. With voting in New York State consistently at its lowest levels ever, we need to remind voters when elections are taking place so that they will be better able to participate. My bill, S.5527, seeks to assist in doing just that.”

Bill Sponsor Brian Benjamin said, “As recent history has shown, every election matters and each election has the possibility to have large impacts on the state of our state, including special elections such as the one I was elected in. It is imperative that voters are given the opportunity to make their voice heard in every election. I am proud to be the sponsor of legislation to require the Board of Elections to notify voters if there is a special election in their district. I look forward to fighting with our leader, Senator Andrea Stewart-Cousins, and my colleagues for fair and freer elections in New York State.”

Bill Sponsor Senator David Carlucci said, “New York can and must do more to lead the nation on voting rights. Passing legislation to increase access to ballot and voting materials in additional languages is a crucial first step toward ensuring fairer elections. Haitian Creole speakers in Rockland County are important members of the community who take pride in participating in our democracy. We must make it as easy as possible to exercise our rights. I thank Leader Stewart-Cousins and my Democratic colleagues for their leadership on this critical issue.”

Bill sponsor Senator Leroy Comrie said, “Voting should be an equal right for all, not a costly inconvenience for working families, immigrant communities, seniors, and students. The survey results are clear: expanded voting opportunities and language accessibility are needed to strengthen our state’s democracy. We cannot continue to ignore this issue as countless voices across our state go unheard election after election. I am proud to stand with my colleagues as we put forth this package of much-needed fundamental election reforms.”

Bill Sponsor Senator Liz Krueger said, “The right to vote is one of the most fundamental freedoms belonging to every American. But New York’s convoluted and out-dated voting laws discourage participation in our electoral process and lead us to have one of the lowest voter turnout rates in the country. I am pleased to join my Democratic colleagues in advancing this important package of bills that will modernize voting procedures, remove barriers to voting, and help give New Yorkers the free, fair, and accessible elections they deserve.”

Bill Sponsor Senator Velmanette Montgomery said, “An informed and engaged electorate is the key to a strong and effective democracy. It is absolutely necessary for young people to learn civics and to be engaged in our political process. Empowering 16- and 17-year olds to pre-register will encourage them to exercise their Constitutional right to vote as soon as they turn eighteen. I am proud to sponsor this legislation, and to support my Senate Democratic

colleagues' efforts to enact early voting, no-excuse absentee voting, and other common sense bills to expand and protect voting rights in New York State.”

Bill Sponsor Senator Kevin Parker said, “Now more than ever, we need to protect the voting rights of the electorate while working to afford them unfettered and unrestricted access to the electoral process. The Senate Democrats legislative proposals unveiled today do just that, and I stand eager with Leader Stewart-Cousins to enact these vital reforms on behalf of the residents of our great state.”

Bill Sponsor Senator Diane J. Savino said, “This package of bills removes barriers and provides pathways to a civically engaged electorate. I am pleased that it includes my legislation to provide election materials in Russian. Whether you call New York a melting pot or a mosaic, we need to ensure that both the state and boards of elections recognizes the needs of our newer citizens.”

Bill Sponsor Senator Dave Valesky said, “Expanding the hours that citizens can vote in a primary will enable those who have to work during those hours, have family obligations, or who otherwise can't get to the polls from noon to 9 p.m. to participate in the democratic process.”

Senator Joseph P. Addabbo, Jr. said, “As a former chair of the Senate Elections Committee, I know that expanding and protecting voter rights here in New York is critical to making the process easier and more accessible for a larger number of voters. Having one of the lowest voter participation rates 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 enact measures to allow and encourage more voters to get to the ballot box. While we obviously require reasonable safeguards to ensure the integrity and veracity of our election process and results, we also need to remove unnecessarily burdensome obstacles



that discourage people from even bothering to vote.”

Senator Marisol Alcantara said, “It is time for New York State to take on comprehensive voting reform. It is unacceptable that voters in our state do not have access to early voting and those who wish to submit an absentee ballot must select a predetermined excuse. Voting is the heart of our democracy, and to keep it alive and healthy, we must find ways to expand access to voting, not restrict it.”

Senator Jamaal Bailey said, “New York State currently ranks forty-one in voter turnout. Despite their desire and willingness to participate in the election process, citizens across the state cannot vote due to the significant barriers they face in casting their ballots. The election system in New York State disenfranchises people who want to make a difference in our government, public policies, and democracy. We need voter reform to make it easier for New Yorkers to exercise their constitutionally-given right to vote and make their powerful voices heard. I thank my colleagues in the Senate Democratic Conference for introducing a comprehensive legislative package and performing a necessary study that will safeguard the voting rights and civic participation of all New Yorkers.”

Senator John Brooks said, “New York remains woefully behind the rest of the country on voting rights -- the time is now to ensure our democracy is fully functional. We can start by expanding voting and making it more accessible, common-sense reforms that will bring New York’s antiquated voting laws into the 21st century.”

Senator Martin Malavé Dilan said, “Almost every New Yorker that has voted, no matter their affiliation, has had a negative experience at some point in the process. If there isn’t a problem with their registration, their polling site has been relocated. If their change of enrollment was confirmed, they’ve been swept from the voter rolls leading up to the election. There are many ways we can improve the process and access. For something so fundamental

to our democracy, it's been allowed to falter long enough.”

Senator Shelley Mayer said, “I am proud to stand with my new Senate Democratic colleagues in urging reform of New York’s outdated election laws. We must pass laws that allow for early voting, no-excuse absentee voting, and automatic registration to dramatically increase civic engagement and participation. The report released today makes clear that New Yorkers will participate in greater numbers if basic election laws are modernized.”

Senator Jose Peralta said, “Improving our voting system is imperative. The time has come to pass a package of bills to reform our voting system. Voting is the backbone of our democracy. We must ensure that New Yorkers have more accessibility to casting their vote at the polls. As a co-sponsor of several pieces of legislation relating to the voting reform package, I applaud the efforts being put in place which will make our state more voter-friendly.”

Senator Roxanne Persaud said, “New Yorkers deserve a well-organized and efficient electoral system. Right now New York has one of the nation’s worst voting turnouts. We must dig deep to find what’s keeping voters from turning out, and use the results to legislate positive changes to our electoral system, such as early voting, and automatic voter registration.”

Senator Gustavo Rivera said, “There is a direct and clear correlation between our lackluster voting laws and New York’s consistent low voter turnout rate. It is critical that we remove barriers that prevent New Yorkers from exercising their rights to vote and encourage civic participation throughout our state. Whether it is implementing early voting or providing ballots in an array of languages, the reforms in this package will help New Yorkers better navigate and participate in our electoral process.”

Senator Luis Sepulveda said, “To get more of our citizens to participate in our electoral system, we must remove decades-old barriers to free and open elections. Early voting should

not require voter I.D.s and absentee voting should be simple and easy, especially for our growing elderly population. It is time for New York to address its low voter participation rates by adopting the measures outlined by the Senate Democratic Conference.”

Senator Jose Serrano said, “New York ranks near the bottom for voter participation compared with other states, and that is embarrassing. Passing common sense reforms like early voting, no-excuse absentee voting, and the other bills Senate Democrats have highlighted will help dramatically increase voter participation. I urge the Senate Republicans to bring these good initiatives before the full Senate for a vote immediately.”

Senator Toby Ann Stavisky said, “Each year voting reforms are not enacted, millions of New Yorkers are denied a more modern and easier voting process. We cannot allow for the suppression of votes any longer. Our country was founded on the notion that the people have the power and that power is enacted through elections. This tradition holds elected officials accountable to their constituents, making sure we serve in the best interest of the public. We are doing a disservice to them by not passing voting reforms.”

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#### RELATED LEGISLATION

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## **2017-S7400A**

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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 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-S840

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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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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-S3409

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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 "Modernized voter registration act of New York"

January 23, 2017

In Senate Committee [Education](#)

Sponsored by [Kevin S. Parker](#)

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
- 

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-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
- 

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-S4440

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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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Authorizes persons 16 years of age or older to register to vote

February 15, 2017

In Senate Committee [Elections](#)

Sponsored by [Velmanette Montgomery](#)

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-S7264

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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
- 

Provides that primary elections shall be conducted between 6:00 A.M. and 9:00 P.M.

January 05, 2018

In Senate Committee [Elections](#)

Sponsored by [David J. Valesky](#)

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-S5602

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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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Require a boards of elections to provide Haitian Creole language voting materials

April 19, 2017

In Senate Committee [Elections](#)

Sponsored by [David Carlucci](#)

Do you support this bill?

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## 2017-S3869

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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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Directs the Queens county board of elections to provide language assistance in Bengali, Punjabi and Hindi

January 27, 2017

In Senate Committee [Rules](#)

Sponsored by [Leroy Comrie](#)

Do you support this bill?

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## 2017-S5825

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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 requiring voting materials to be provided in Russian

May 02, 2017

In Senate Committee [Elections](#)

Sponsored by [Diane J. Savino](#)

Do you support this bill?

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## 2017-S5527

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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 notifying voters of the candidates and upcoming elections

April 06, 2017

In Senate Committee [Elections](#)

Sponsored by [Tony Avella](#)

Do you support this bill?

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## 2017-S6733

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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 voter notification of special elections

June 15, 2017

In Senate Committee [Elections](#)

Sponsored by [Brian Benjamin](#)

Do you support this bill?