



April 24, 2019

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Preparing for  
Implementation:

What the New  
Election Law  
Reforms Mean For  
Your County

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# **2019 Election Law Update**

**Robert Brehm and Todd Valentine,  
Co-Executive Directors  
New York State Board of Elections**

**April 24, 2019**

# 2019 Chapters

## Voter Pre-Registration

- Chapter 2 of the laws of 2019
- Current law requires that a person is able to pre-register to vote at 17 if they turn 18 by the end of the year. They can vote if they turn 18 on or before election day.
- Allows for the pre-registration of voter registration applicants to be at least 16 years of age.
- Effective date: January 1, 2020



## Transfer of Voter's Registration & Enrollment

- Chapter 3 of the laws of 2019
- Allows for a person's voter registration and party enrollment to move with them when they move within New York State.
- Effective date: March 25, 2019

## Elimination of the LLC loophole

- Chapter 4 of the laws of 2019
- Limited Liability Companies (LLCs) are subject to a \$5,000 annual, aggregate giving limit. Disclosure of the identity of LLC interests is reported to NYSBOE.
- Effective date: January 31, 2019

## Consolidation of Primary Elections

- Chapter 5 of the laws of 2019
- The state/local/federal primary was consolidated to the fourth Tuesday in June
- Effective date: Immediately.
- 2019 Primary Election day is Tuesday, June 25, 2019

## Early Voting

- Chapter 6 of the laws of 2019
- Provides for nine days of early voting in New York State
- Effective date: Immediately, and first applies to the November 5, 2019, general election. 2019 dates – beginning Saturday, October 26<sup>th</sup> through Sunday, November 3<sup>rd</sup>.
- Applies to any primary, general, run-off primary or special election held thereafter.
- \$10 million dollars available to County Boards for reimbursement of costs related to early voting and subject to the approval of the State Division of Budget.

## Temporary Reduction of Petition Signature Requirements

- Chapter 17, 18, 22 of the laws of 2019
- Temporarily reduced signature requirements for 2019 petitions due to the political calendar (primary date) move.
- Effective date: Immediately.
- Chapters 17 and 22 sunset in 2019.
- Chapter 18 sunsets on December 31, 2020.

## E-Poll Books

- Chapter 55 of the laws of 2019 (SFY 2019-20 NYS budget).
- Enables CBOEs to utilize e-poll books.
- State Centralized Contract being developed.
- State Board to set parameters on e-poll book requirements and only systems approved by the NYSBOE are permitted for use in NYS.
- Effective date: Immediately.
- \$14.7 million appropriated in budget. NYSBOE to develop plan for distribution of funds.

## Time Off to Vote

- Chapter 55 of the laws of 2019 (SFY 2019-20 NYS budget).
- Provides registered voters with 3 hours paid leave to vote. This includes all public and private employees. There is no requirement that they prove they need to time to vote.
- Includes Primary, Special, and General elections for local, state, federal and village elections.
- Effective date: Immediately.

## Primary Day Hours

- Chapter 55 of the laws of 2019 (SFY 2019-20 NYS budget).
- Primary Election day poll hours are 6 am to 9 pm Statewide.
- This eliminates disparate hours by County.
- Effective date: January 1 ,2020, and applies to any election held after April 30, 2020.



## Prohibition of Lobbyists, PACS, IE making certain loans

- Chapter 55 of the laws of 2019 (SFY 2019-20 NYS budget).
- A lobbyist, PAC or IE interest, are prohibited from making loans to candidates or political committees.
- Effective date: Immediately.

## Voter Enfranchisement Modernization Act (VEMA)

- Chapter 55 of the laws of 2019 (SFY 2019-20 NYS budget).
- Provides for online voter registration.
- Effective date: the earlier of (i) two years after enactment, however, NYSBOE can make rules immediately for implementation or (ii) five days after the date of certification by NYSBOE that the IT infrastructure to support such is functional.

## Public Campaign Financing and Election Commission

- Chapter 59 of the laws of 2019 (SFY 2019-20 NYS budget).
- Provides for a 9 member commission to examine, evaluate and make binding recommendations for voluntary public campaign financing.
- May capture statewide and state legislative offices.
- Has authority to recommend up to \$100 million in annual fiscal cost.
- Required to make recommendations by December 1, 2019. Recommendations adopted by a majority of the Commission have force of law unless modified by statute prior to December 22, 2019.
- Effective date: Immediately and the Commission expires December 31, 2019.

## Elimination of Duplicate Campaign Financial Disclosure Reports

- A1740 (Seawright) S3134 (Myrie) passed both houses. This bill would exempt those filers who electronically file reports from also reporting with NYSBOE. (ex. NYC CFB filers).

## Publish Contribution Limits

- A111 (Buchwald) S3140 (Myrie) passed both houses.
- Requires County Boards to publish contribution limits on their website.

## Placement of ballot proposals

- A112 (Buchwald) S3145 (Myrie) passed both houses.
- To provide clear instructions to voters if the ballot is two-sided.

## Voter Friendly Ballot Act

- A2682 (Lavine) S2300 (Kavanagh) passed both houses.
- To create a ballot layout that is easy for voters to read and use.

## New Party Nomination Date Change

- A4081 D'Urso/ S.4426 Myrie passed both houses.
- Designates September 1<sup>st</sup> as the last day for new parties (Libertarian/SAM) to file certifications for nominations.
- As September 1, 2019, is a Sunday, and followed by Labor Day, the date for this political calendar will be September 3, 2019.

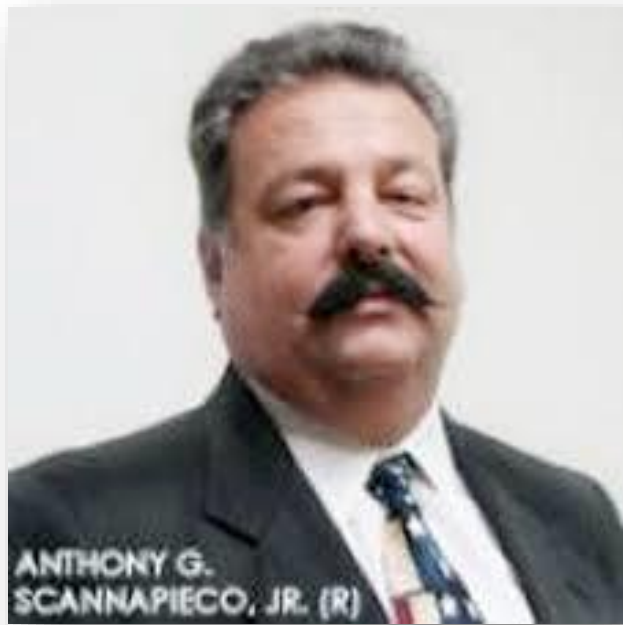


## Two constitutional amendments passed the both houses in 2019:

- A777/S1101 would remove the 10 day voter registration cut off, more commonly know as same day registration.
- A778/S1049 would remove cause for absentee ballot voting, also know as no-excuse absentee voting.
- NYSBOE will monitor for second passage in 2021. Both measures require second passage by Legislature in 2021 before they can go before the voters for approval.

## **State Fiscal Year 2019-20 Budget:**

- In SFY 18-19, \$19.5 federal funds were appropriated for a five-year period to NYS for cyber purposes provided a 5% state match.
- In SFY 18-19, NYSBOE was appropriated \$5 million to increase the cybersecurity posture of the State's election infrastructure.
- Approximately \$1 million of the State cyber money constitutes our federal match.
- In SFY 19/20 budget, the re-appropriation language of the cyber funds was significantly changed to fund NYSBOE operating costs for Compliance, NVRA and IT units.



Anthony  
Scannapieco, Jr. (R)

Election Commissioner  
Putnam County





# Amy Hild

Democratic Commissioner  
Schenectady County Board of Elections

# Darlene Harris

Republican Commissioner  
Schenectady County Board of Elections



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**Mark Rossman, Director of Government Services**  
**NTS Data Services, LLC**  
**2079 Sawyer Drive, Niagara Falls, NY 14304**  
**800-458-3820 x102**  
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