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**REPORT ON LEGISLATION BY
THE ELECTION LAW COMMITTEE**

A.9510 / S.7510 (Budget Article VII) - Part B, Section 11

GOOD GOVERNMENT AND ETHICS REFORM - EARLY VOTING

THIS PROVISION IS APPROVED

The Election Law Committee of the New York City Bar Association¹ strongly supports the Governor's plan for a flexible in-person early voting period presented in the FY2019 Good Government and Ethics Reform Article VII Budget Bill (A.9510/S.7510, Part B, Section 11). Early voting will help citizens participate in the democratic process while reducing pressure on election administrators.

Under the proposal, the Election Law is amended to provide New Yorkers with 12 days of early voting, including eight hours per week day minimum, and five hours per day minimum on weekends and legal holidays, during which to vote.

New York's current voting system, which limits regular voting to a single 15-hour window in the middle of the work week, results in many voters being unable to vote. In 2016, with two New Yorkers at the top of the presidential ballot, our state still ranked 41st out of 50 in terms of turnout. Long lines, work responsibilities, extensive commutes to and from work, broken machines, impaired poll site access, child/elder care duties, and bad weather all can deter voters on election day.

Single-day elections are no longer the norm, with 37 states and the District of Columbia providing opportunities for early voting.² New Yorkers know this and support early voting. A January 16, 2018 Siena College Poll shows 65% (73% Democrats; 49% Republicans; 68% Independents) are in favor of "Institut[ing] early voting in New York like it exists in dozens of other states."³

¹ The Election Law Committee is comprised of City Bar members interested in, and often with decades of expertise concerning, New York State Election Law. The Committee has been active in commenting on proposed revisions of state election law and local election rules. It also regularly provides election law training for candidates and the public.

² State Laws Governing Early Voting, National Conference of State Legislatures, Aug. 17, 2017, <http://www.ncsl.org/research/elections-and-campaigns/early-voting-in-state-elections.aspx>.

³ Available at https://www.siena.edu/assets/files/news/SNY_January_16_2018_Poll_Release_-_FINAL.pdf.

It is time that New York joined the states that have already enacted early voting. This will enable more citizens to exercise this most important right, and will ease the systemic pressure placed on election administrators during high volume elections. Early voting can spread voter traffic across a number of days, which will ease long lines, give poll workers more time to do their jobs well, and give busy New Yorkers more opportunity to cast their ballots.

To implement early voting responsibly, we support the Governor's proposal to allocate \$7 million for this purpose. The state must include adequate funding in the budget to reduce the financial strain on the local boards of elections, which will need to develop new policies and procedures as well as undertake necessary staff training and public education. In addition, it will be important for the state to monitor the implementation of early voting to ensure the law as drafted provides sufficient polling places in populous counties. While we believe counties will seek to maximize the impact of early voting and afford voters adequate access, the state should make sure sufficient polling places are being provided to effectuate the purpose of this law and, to that end, it may become necessary to revisit the maximum requirement of seven sites per county.

Early voting would be facilitated by electronic poll books and we therefore support the enactment of A.5547/S.5547, which amend election law in relation to authorizing computer generated registration lists.

Now is the time for New York State to honor its hard working citizens by recognizing their desire to participate in the political process and giving them more time to do so, while simultaneously reducing the pressure on election administrators.

Election Law Committee
Martin E. Connor, Chair

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