



Legislation Text

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Int. No. 450-B

By Council Member Miller, the Public Advocate (Mr. Green), Council Members Pinkett, Spigner, Robles, Carrion, Clarke, DiBrienza, Fisher, Freed, Henry, Koslowitz, Leffler, Linares, Lopez, Marshall, Michels, Moskowitz, O'Donovan, Perkins, Provenzano, Quinn, Reed, Rivera, Warden, Watkins, White, Wooten, Harrison and Eisland; also Council Members Malave-Dilan, Eldridge, Foster, Lasher, Povman and Robinson.

A Local Law to amend the charter of the city of New York to establish a system to distribute voter registration forms at certain agencies.

Be it enacted by the Council as follows:

Section 1. Legislative intent and findings. Current federal and state law requires that a sophisticated computerized voter registration plan be put in place in motor vehicle agencies. However, while more than 91% of New York State residents eighteen and over outside of New York City hold driver's licenses, less than 50% of City residents do. In order to ensure that application forms be as widely and freely distributed as possible, this legislation requires certain City agencies to distribute voter registration forms to clients when they first apply for services or when they recertify or change their address. This procedure has been found to be highly effective in registering new voters and updating voter registration rolls in places across the country that have implemented similar programs. This program will serve to facilitate public access to voter registration forms, but not actually register anyone because only the Board of Elections may register a voter pursuant to State Election Law.

§2. Chapter forty-six of the charter of the city of New York is hereby amended to add a new section 1058 to read as follows:

§1058. Agency based voter registration. Each agency designated as a participating agency under the provisions of this section shall implement and administer a program of distribution of voter registration forms

pursuant to the provisions of this section. The following offices are hereby designated as participating voter registration agencies: The administration for children's services, the city clerk, the civilian complaint review board, the commission on human rights, community boards, the department of business services, the department of citywide administrative services, the department of consumer affairs, the department of correction, the department of employment, the department of environmental protection, the department of finance, the department of health, the department of homeless services, the department of housing preservation and development, the department of mental health, the department of parks and recreation, the department of probation, the taxi and limousine commission, the department of transportation and the department of youth and community development. Participating agencies shall include a mandate in all new or renewed agreements with those subcontractors having regular contact with the public in the daily administration of their business to follow the guidelines of this section. Such participating agencies shall be required to offer voter registration forms to all persons together with written applications for services, renewal or recertification for services and change of address relating to such services; provided however that this section shall not apply to services that must be provided to prevent actual or potential danger to the life, health, or safety of any individual or of the public. Such agencies may provide assistance to applicants in completing voter registration forms, if so requested. Such agencies may also, in their discretion, receive and transmit the completed application form from any applicants who wish to have such form transmitted to the board of elections for the city of New York.

1. Participating agencies shall adopt such rules and regulations as may be necessary to implement this section. The New York city voter assistance commission shall prepare and distribute to participating agencies written advisory agency guidelines as to the implementation of this section and may establish training programs for employees of participating agencies. Participating agencies may consider such advisory agency guidelines in the promulgation of their rules and regulations.

2. Participating agencies shall provide and distribute voter registration forms to all persons together with written applications for services, renewal or recertification for services and change of address relating to such

services; provided however that this section shall not apply to services that must be provided to prevent actual or potential danger to life, health or safety of any individual or of the public. Participating agency staff may provide assistance in completing these distributed voter registration forms, if so requested. Participating agencies shall also include a voter registration form with any agency communication sent through the United States mail for the purpose of supplying clients with application, renewal or recertification for services and change of address relating to such services materials. Participating agencies shall also incorporate an opportunity to request a voter registration application into any application for services, renewal or recertification for services and change of address relating to such services provided on computer terminals, the World Wide Web or the Internet. Any person indicating that they wish to be sent a voter registration form, via computer terminals, the World Wide Web or the Internet shall be sent such a form by the participating agency, or directed to a bank on that system where such a form may be downloaded.

3. Participating agencies shall also:

a. at the earliest practicable or next regularly scheduled printing of their forms, physically incorporate the voter registration forms with their own application forms in a manner that permits the voter registration portion to be detached therefrom. Until such time when the agency amends its form, each agency should affix or include a postage paid board of elections for the city of New York voter registration form to or with its application, renewal, recertification and change of address forms;

b. use the board of elections of the city of New York coded voter registration forms which designate such forms as originating from participating agencies; and

c. transmit any completed forms collected in their discretion to the board of elections of the city of New York within two weeks of the receipt of such completed forms at the participating agency. If a completed form is accepted within five days before the last day for registration to vote in a citywide election, such completed form shall be transmitted by the participating agency to the board of elections of the city of New York not later than five days after the date of acceptance.

4. All persons seeking voter registration forms and information shall be advised in writing together with other written materials provided by agencies or by appropriate publicity that government services are not conditioned on being registered to vote. No statement shall be made nor any action taken by an agency employee to discourage the applicant from registering to vote or to enroll in any particular political party.

5. The completion of the voter registration form by an applicant is voluntary.

6. Employees of a participating agency who provide voter registration assistance shall not:

a. seek to influence an applicant's political preference or party designation;

b. display any political preference or party allegiance;

c. make any statement to an applicant or take any action the purpose or effect of which is to discourage the applicant from registering to vote; or

d. make any statement to an applicant or take any action the purpose or effect of which is to lead the applicant to believe that a decision to register or not to register has any bearing on the availability of services or benefits.

7. Each participating agency, department, division and office that makes available voter registration forms shall prominently display promotional materials designed and approved by the board of elections for the city of New York or state board of elections for use in state agency programs.

§3. **Severability.** Should any provision or application of this local law be determined to be unlawful or unenforceable, all other provisions and applications of this local law shall nevertheless continue in full force and effect.

§4. This local law shall take effect ninety days after its enactment.

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