



LEGISLATIVE PRIORITIES POST EO 202.26 TO BE REFLECTED IN A VOTER PROTECTION PACKAGE

COVID-19 has upended life as we know it in New York. And while the Governor has issued several Executive Orders that will help to safely hold our elections more work needs to be done. That's why we are asking the State Legislature to convene immediately and strengthen the Governor's changes:

- **Codify the streamlining and expansion of absentee voting into law**
 - Allow for broadened absentee voting during a public health emergency.
 - Allow for the permanent electronic submission of an absentee ballot application.
- **Make it easier to receive and cast an absentee ballot, particularly for voters with disabilities who currently have very few options.**
 - Provide voters with disabilities additional accommodations so they can vote absentee as needed.
- **Assure voters their absentee ballot is counted.**
 - Clarify absentee ballots can only be challenged for a very limited set of reasons.
- **Expand the dates, times and locations for early voting to disperse in-person voters.**

The June primary is less than two months away and New York must do everything it can to ensure no voter is disenfranchised by having to choose between their vote and their health. In addition, Boards of Elections need to know of changes to election procedures far in advance of the November general election to be able to adequately prepare.

Our specific requests regarding needed legislative action follows.

1. Expand absentee voting:

- a. Extend expanded definition of illness as a justification for voting absentee through the end of the year. S8015A(Biaggi)/A10271(Blake)
 - i. The Boards of Elections need certainty and as much time as can be provided to plan for the November election.
- b. Permanently codify the ability to apply for an absentee ballot through email or online without the need for signature or separate application.
 - i. NY is one of the very few states that requires voters to mail in a signed application for an absentee ballot. Systems that are built to accommodate EO

202.15, permitting voters to request an absentee ballot electronically should be kept in place and built for permanence.

2. **Additional ways to make it easier to receive, cast and count an absentee ballot:**
 - a. Revise deadline to mail return absentee ballots to election day instead of 1 day before (EL § 8-412(1); 9-209(2)(b)(iii)(C); 10-114(1); 11-110(1); 11-212);
 - b. Suspend the requirement that the Boards place voters on inactive status if mail addressed to the voter has been returned. (suspend EL §5-213 through 2020);
 - c. Provide that ballots received by BoE by 7 days post-election day that do not contain a dated postmark at all are presumed to have been timely mailed (amendment to EL § 8-412);
 - d. Clarify and limit the reasons an absentee ballot may be challenged to the registration status of the voter and signature verification questions (amendments to multiple sections of the Election Law, as per accompanying memo);
 - e. Allow the provisions of EL §8-407 to apply through 2020 to public housing campuses and large residential developments and apartment buildings (amend EL §8-407).
3. **Require the Board of Elections to provide accommodations for voters with disabilities who wish to vote by mail;**
 - a. Braille and large print ballots
 - b. Special ballot marking software as well as online and phone assistance
4. **Double the number of early voting days and increase the minimum number of early voting hours and locations for all 2020 elections.** (amend EL §8-600).