

MEMORANDUM OF SUPPORT

“No-Excuse” Absentee Voting A7623 (Vanel) / S840 (Comrie)

The New York Democratic Lawyers Council (NYDLC) strongly supports the enactment of A7623/S840. This Bill would extend the convenient option of voting absentee to all New York voters who would prefer to do so, by amending Article II § 2 of the NYS Constitution.

New York is one of only 13 states that requires an excuse for absentee voting and does not allow in-person early voting.¹ Currently, absentee balloting in New York is only available to a few limited categories of voters (those who assert in advanced that they will be absent from their county (or in New York City, the entire city) for the full Election Day, or those who are ill or physical disabled). As a result, anyone else who may be unable to physically make it to an assigned location on a single workday Tuesday is ineligible, regardless of unforeseen circumstances—they have no alternative to exercise their fundamental right to vote.

If enacted, this bill would provide all New York voters with the convenience of vote-by-mail or early in-person voting options. New York’s current voting system makes it needlessly difficult for many voters to participate in our democracy. College students, working families, single parents, those with child- or elder-care obligations, or anyone with a busy or inflexible schedule should not be prevented from voting simply because they were unable to appear and wait in line at an assigned location on a single day.

As of 2017, 27 states and the District of Columbia allow “no excuse absentee” voting. States that have enacted early voting and no excuse absentee voting have experienced sustained increases in turnout. In 2012, an estimated 36% of total votes were cast before the Election Day, as compared to 33% in 2008. In 2016, estimates of that number were between 34 and 40%,² while Election Day voter turnout sunk to its lowest number in 20 years.³ In order to encourage participation and improve turnout, New York must modernize our outdated voting system and streamline administration.

One simple way to do that is to provide convenient options to busy New Yorkers. Doing so would reduce systemic pressure, long lines, and improve the overall voting experience. **For the foregoing reasons, NYDLC strongly supports the enactment of A7623 / S840.**

¹ Common Cause NY, *Election Administration: How Does New York State Compare?* 29 (Jan. 2017), <http://www.commoncause.org/states/new-york/research-and-reports/election-administration-report.pdf>

² Danielle Kurtzleben, *5 Questions About Early Voting, Answered*, NPR, Oct. 28, 2016, <http://www.npr.org/2016/10/28/499492832/5-questions-about-early-voting-answered>.

³ Gregory Wallace, *Voter Turnout at 20 Year Low in 2016*, CNN, Nov 30, 2016, <http://www.cnn.com/2016/11/11/politics/popular-vote-turnout-2016/>.