

MEMORANDUM OF SUPPORT

Voter Enfranchisement Modernization Act of 2017 A5382 (Cusick) / S5115 (Avella)

The New York Democratic Lawyers Council (NYDLC) strongly supports the enactment of A5382 / S5115. This bill establishes online voter registration.

This Bill will provide all eligible New York voters with a convenient online registration system, supplementing to the existing paper-based voter registration system. The bill provides for an online registration application that includes a voter's exemplar signature on file with the state board of elections, DMV, or other relevant state agencies. The state board of elections then transmits this information to local boards of election. If an eligible voter fails to provide an exemplar signature, the local board of elections will proceed to enroll the otherwise eligible voter, and within ten days send him/her a standard form, on which s/he may provide an exemplar signature either in person, by mail, email, or by electronic upload.¹

The NYS Attorney General Schneiderman has issued an advisory opinion stating that electronic signatures count as signatures for voting purposes.² The opinion explains that the goal of the signature is to compare it to the signature written by the voter at the polling location - a handwritten signature at registration is unnecessary.³ Online registration and the use of electronic signatures will align with current societal expectations, in a world where people view the use of paper as burdensome.

Currently, 31 states and the District of Columbia offer full online registration.⁴ In New York, online registration is only available to those who possess a New York driver's license, effectively barring anyone who does not drive or lacks the means. The convenience and accessibility of the proposed online registration system will increase voter engagement and reduce costs.⁵ Online registration also improves voter roll accuracy by eliminating errors from interpreting illegible handwriting and manually entering voter information. Establishing an online registration system will enable the electronic maintenance and transfer of voter registration information and make automatic registration possible, which will further modernize our voting process. For the foregoing reasons, NYDLC strongly supports the enactment of A5382 / S5115.

¹ If the voter fails to provide an exemplar signature through one of these methods, a voter is entitled to vote in the same manner as a voter with a notation next to his/her name indicating that identity has not yet been verified.

² Advisory Opinion from Eric Schneiderman, Attorney General (April 25, 2016), https://ag.ny.gov/pdfs/2016-1_pw.pdf.

³ *Id.*

⁴ *Voter Registration in a Digital Age: 2015 Update*, Brennan Center (Oct. 27, 2015), <https://www.brennancenter.org/publication/voter-registration-digital-age-2015-update>.

⁵ *Id.*