

MEMORANDUM OF SUPPORT

Voter Empowerment Act of New York A2278 (Kavanagh) / S3304 (Gianaris)

The New York Democratic Lawyers Council (NYDLC) strongly supports the enactment of the Voter Empowerment Act (A2278/S3304) (“the VEA”).

This bill would modernize New York voter registration by: (1) automating registration for consenting eligible voters at designated agencies; (2) transferring the registration of voters who move between counties (portability); (3) pre-registering 16- and 17-year-olds so they can vote at age 18; (4) permitting registration or party enrollment changes up to the constitutional minimum of ten days before an election; (5) providing an online voter registration option and improving online/phone services so voters can easily verify and correct their registration; (6) improving privacy and security of voters’ personal information; (7) protecting voters who claim to have registered at a designated agency if a registration omission arises on Election Day (via an affidavit); and, (8) requiring college and public schools to provide registration forms to students.

The VEA will help remediate New York’s dismal voter-turnout trend¹ by removing many existing barriers to voter participation that result in thousands of “lost votes” each year. Some of the core proposals were recommended by the bipartisan Presidential Commission on Election Administration (PCEA) due to the potential to realize major efficiency gains and cost-reduction, and have been widely adopted elsewhere.²

These improvements will modernize and streamline New York’s voter registration and election administration processes and will result in significant administrative cost-savings once implemented.³ Moreover, these reforms are “pro-voter”—they overhaul voter registration to provide modern conveniences that make it easier for eligible, busy New Yorkers to comply with registration rules and exercise core civil rights.

For the foregoing reasons, NYDLC strongly urges the New York State to enact the VEA (A2278/S3304).

¹ New York ranked 41st in U.S. voter turnout in 2016, 44th in turnout in 2012, and fared even worse during the 2014 midterms, ranking 46th with an abysmally low 29.1% of voting-age citizens casting a ballot. Nonprofit VOTE & US Elections Project, *America Goes to the Polls 2016: A Report on Voter turnout in the 2016 Election* 10, <http://bit.ly/2mXiJz3> (accessed 5/10/17); New York City Campaign Finance Board, *New York State Near Bottom in Voter Turnout Rankings*, July 21, 2015, <http://bit.ly/2pAr0Yz> (accessed 5/10/17).

² For example, online registration (adopted by 38 states and Washington D.C.) eliminates manual transcription errors, saves significant resources, would make a later registration deadline more feasible, provides modern convenience to busy New Yorkers, and reduces Election Day delays by improving voter file accuracy. Presidential Comm’n on Election Admin., *The American Voting Experience: Report and Recommendations of the PCEA* 23-24 (Jan. 2014), <http://stanford.io/2plqvFv> (accessed 5/10/17); Democracy Fund, *Progress Report on the Presidential Commission On Election Administration: Improving the Efficiency of Elections. Increasing Access to Voting* 10 (Sept. 2016), <http://bit.ly/2q6IRaL>.

³ Brennan Center for Justice, *The Case for Automatic Voter Registration* 6-8 (2016), <http://bit.ly/2pLOHI9> (visited 5/10/17).