

MEMORANDUM OF SUPPORT

Voter Registration Portability: Transfers Across County Lines

A775 (Dinowitz) / S1099 (Carlucci)

The New York Democratic Lawyers Council (NYDLC) strongly supports the enactment of A775 / S1099, which would require the Board of Elections to keep New Yorkers on the voter rolls when they move in-state by transferring the existing registration to the voter's new county or the City Board of Elections.

Currently, a New York voter living in one locality (county or New York City) who moves within the state to a new locality becomes ineligible to vote unless they proactively update their registration and re-register in the locality of their new residence. This leads to confusion, incentivizes unscrupulous behavior, and infringes rights by disenfranchising thousands of otherwise-eligible New Yorkers each election.

Registration portability is a key aspect of registration modernization.¹ Once an eligible resident is on New York's voter rolls, they should remain registered as long as they continue to be eligible to vote and reside in New York (and perhaps this basic data cooperation could eventually extend interstate to conserve resources). Nationwide, 17 states and Washington D.C. allow for same-day registration (which resolves this issue as voters may update their registration at the polls) and another four states have a portable registration safeguard that preserves votes even where a voter doesn't update their record ahead of Election Day.² The 2018 elections saw two more states enact same-day registration.³

Moreover, the present need to re-register with each move widens the voter participation gap among demographic groups who are predisposed to move more often and who already vote less often (e.g. young people, communities of color, lower-income Americans, and students).⁴

Finally, New York election law already counts the ballot of a resident who moves *within* their county or the City, without requiring them to re-register. This fix would reduce an unexpected roadblock to voter participation by eliminating a superfluous but harsh procedural formality. In doing so, Voter Registration Portability streamlines registration paperwork, protects civil rights, and better meets the modern expectations of busy New Yorkers.

For the foregoing reasons, NYDLC strongly supports the enactment of Voter Registration Portability.

¹ Brennan Center for Justice, *VRM in the States: Portability*, Feb. 3, 2017, <http://bit.ly/2q7hZ8V>.

² Nat'l Conference of State Legislators, *Same Day Voter Registration*, Dec. 3, 2018, <https://bit.ly/10legHT>; *id.*

³ Nat'l Conference of State Legislators, *Same Day Voter Registration*, Dec. 3, 2018, <https://bit.ly/10legHT>

⁴ J Mijin Cha and Liz Kennedy, *Millions to the Polls: Permanent & Portable Voter Registration*, Demos, Feb. 18, 2014, <http://bit.ly/2qFyEnU>.