

## MEMORANDUM OF SUPPORT

### Universal (“No-Excuse”) Absentee Voting A778 (Vanel) / S1049 (Comrie)

The New York Democratic Lawyers Council (NYDLC) strongly supports the enactment of **A778 / S1049**. This Bill would extend the convenient option of voting absentee to all New York voters who prefer to do so, by amending Article II § 2 of the NYS Constitution. This legislation passed the Assembly in 2018, 2017, and 2016 and was supported by the Assembly’s GOP Minority leader.

New York’s current voting rules make it needlessly difficult for many voters to participate in our democracy. New York is one of only 12 states that requires an excuse for absentee voting and does not allow in-person early voting.<sup>1</sup> As of 2018, 28 states and Washington D.C. provide voters with the option to vote absentee without requiring a statutorily valid excuse.<sup>2</sup> Currently, absentee balloting in New York is only available to a few limited categories of voters, like those who claim well in advance that they will be absent from their county (or in New York City, the entire city) for the full Election Day (the entirety of 6AM-9PM), or those who are ill or physically disabled.

As a result, anyone else who may be unable to physically make it to a sole assigned location on a single workday Tuesday is ineligible to vote, 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.** 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 traditional work schedules and gender roles evolve, the limitation on who qualifies to vote absentee is increasingly arbitrary.

In order to improve access and encourage greater participation in our democracy, policymakers must improve our antiquated voting process and streamline administration so it comports with the expectations of modern Americans. One simple way to do that is to provide more convenient options to busy New York voters. Doing so would reduce systemic pressure, long lines, and improve the overall voting experience.

**For the foregoing reasons, NYDLC strongly supports the enactment of A778 / S1049.**

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<sup>1</sup> National Conference of State Legislatures, *Absentee and Early Voting*, Jan. 3, 2019, <http://www.ncsl.org/research/elections-and-campaigns/absentee-and-early-voting.aspx>.

<sup>2</sup> *Id.*