

KNOW YOUR VOTING RIGHTS NEW YORK! INACTIVE AND PURGED VOTERS

New Yorkers should take proactive steps to protect their own civil rights ahead of harsh voter registration deadlines, while there is time to update residency information or cure clerical errors.

- ✓ **Are you still registered to vote? Find out:** <https://voterlookup.elections.state.ny.us>.
 - **NYS General Voter Registration Rule:** A voter registration form must be mailed (postmarked) or delivered to the local BOE by the registration deadline—not later than 25 days before an election—for it to be effective for that election.
 - View upcoming voter registration deadlines: <https://www.elections.ny.gov/VotingDeadlines.html>.

What is an “inactive” voter in New York State?

- ✓ A New York voter whose status is “inactive” is a registered voter who has not responded to a residence confirmation notice sent by the local Board of Elections (BOE). A voter is sent this confirmation notice if the BOE receives information that the voter may have changed their address or moved. The registration of such a voter will be changed to “inactive” status.
 - Voters should respond promptly to BOE confirmation notices. If unsure whether a notice is legitimate, contact your local BOE: <https://www.elections.ny.gov/CountyBoards.html>.
 - **Am I inactive? Don’t delay, find out today!** To avoid problems voting that can’t be cured later, check your NYS registration status: <https://voterlookup.elections.state.ny.us>.
- ✓ A registered voter who is designated “inactive” and then does not vote in two consecutive *federal* elections (eg. 2014 and 2016) is, in the fifth year, removed from the list of registered voters unless the BOE receives information that voter still resides in the county or City.

How do I cure inactive voter status in New York State?

- ✓ Registered but inactive voters should submit a fresh registration form to their local BOE. Forms from already-registered voters confirming or changing an address (within the locality) that are received by the local BOE 20 days before an election must be processed in time for that election. EL § 5-208(3); or,
- ✓ **Vote!** If it is too late to file a new registration form, a registered-but-inactive voter who still resides in the same locality where they are registered has a right to vote by affidavit ballot on Election Day at the correct (assigned) poll site for their current residence. By doing so, a registered but inactive voter reactivates their registration AND casts a valid ballot.
 - Registered but inactive voters will not be listed in the printed registration books at poll sites on Election Day. Inactive voters should go to their correct (assigned) poll site and demand and fully complete an affidavit ballot and envelope. Failing to provide such a voter with an affidavit ballot is a clear violation of state law. EL § 8-302(e)(ii).
 - A different rule applies for persons who move *localities* (to a new county, into or out of NYC), or to a new state. These persons must always register to vote anew with their local BOE by mailing (postmark) or delivering a registration form 25 days before an election.

See reverse for information on voter purges in NYS and basic voter registration eligibility.

To register to vote in NYS, a person must:

- ✓ *be* a United States citizen;
- ✓ *be* 18 years old by December 31 (to actually *vote*, one must be age 18 by date of election);
- ✓ *live* at your present address at least 30 days before the election;
- ✓ *not* be in prison or on parole for a felony conviction;
- ✓ *not* be adjudged mentally incompetent by a court; and
- ✓ not claim the right to vote elsewhere.

What is a “purged” voter in New York State?

- ✓ A “purged” New York voter is one who has been removed from the list of registered voters. State law (EL § 5-400) only allows a voter to be purged if the voter:
 - a) Moved outside the city or county in which they are registered;
 - b) Was *convicted* of a felony;
 - c) Was adjudicated an incompetent;
 - d) Refused to take a challenge oath after being challenged as not qualified to register;
 - e) Has died; or
 - f) did not vote in any two consecutive federal elections *after* their name was placed in inactive status (discussed above); or
 - g) Personally (directly or indirectly) requests to be removed from the list of voters.

Was my voter registration “purged”? How can I confirm that I am registered to vote?

- ✓ Check the NYS BOE voter registration database: <https://voterlookup.elections.state.ny.us/>.
- ✓ Check with your local (county or NYC) Board of Elections. Contact info for every local BOE in New York may be found here: <https://www.elections.ny.gov/CountyBoards.html>
 - Many localities rely on the State BOE database. Others provide their own.

What if I’m not listed as a registered voter or I’m not sure whether I am registered?

- ✓ After contacting the local BOE (above), an otherwise-eligible New Yorker who believes they have been purged should mail (postmark) or deliver a fresh voter registration form to the local BOE by the registration deadline (not later than 25 days before an election).
- ✓ **Wrongfully purged? Vote!** Mistakes and foul play happen. If it is too late to file a new registration, a voter who genuinely believes they have been improperly removed from the voter rolls—who still resides in the same *locality* where they were previously registered—has a right to vote by affidavit ballot on Election Day at the correct (assigned) poll site for their current residence. By doing so, such person will be registered going forward and, *if* the removal was made in error, such voter has preserved their rights and casts a valid ballot.
 - Purged voters and persons who have not registered by the deadline will not be listed in the printed registration books at poll sites on Election Day. Wrongfully purged voters should go to their correct (assigned) poll site and demand and fully complete an affidavit ballot and envelope. Failing to provide such a voter with an affidavit ballot is a clear violation of state law. EL § 8-302(e)(ii).

See reverse for information on inactive voters in NYS and links to basic voter registration forms and deadlines.