



Legislation Text

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Res. No. 1698

Resolution calling upon the United States Congress and the New York State Legislature to pass legislation to allow early voting and no-excuse absentee ballots.

By Council Members Felder, Garodnick, Barron, Brewer, Comrie, Dickens, Fidler, Gerson, Gonzalez, James, Liu, Recchia Jr., Stewart, de Blasio and Jackson

Whereas, The New York City Council is desirous of achieving election reforms that would allow greater participation in the democratic process and encourage civic involvement; and

Whereas, Congress and the State Legislature can increase the ability of New Yorkers to vote by allowing voters who may not be able to reach their polling location on Election Day to cast their ballots prior to Election Day; and

Whereas, Early voting has recently emerged as a popular way to enhance democratic participation and relieve some of the burden on election administrators in many jurisdictions; and

Whereas, Early voting has been adopted throughout the country in an effort to facilitate civic involvement and further enfranchise the electorate; and

Whereas, According to the Early Voting Information Center at Reed College, there are currently thirty-two states including California, Florida, Illinois, Louisiana, North Carolina, Texas and Vermont that allow “no excuse” early voting on a voting machine or in-person absentee voting; and

Whereas, The time period for early voting varies from state to state, but the opportunity is usually available during a period of 10-14 days before the election, generally ending on the Friday or Saturday immediately preceding the election; and

Whereas, According to the National Conference of State Legislatures, early voting is generally

conducted on the same voting equipment used in the regular election and in some states it is conducted in designated satellite voting locations, such as grocery stores, shopping malls, schools, and libraries; and

Whereas, The National Conference of State Legislatures also states that early voting differs from absentee voting in that voters may visit their corresponding local election official's office or an alternative voting location, and cast a vote in person without offering an excuse for why they are unable to vote on Election Day; and

Whereas, The current New York State Constitution provides for absentee voting prior to Election Day only in limited circumstances, such as, but not limited to, travel, studies, imprisonment, and illness; and

Whereas, S.5027, introduced in the New York State Senate, would amend the Election Law to provide any registered person voting early for a candidate for public office in a general, primary and special election with the ability to cast a vote at his or her local board of elections or at an alternate voting location established by the local board of elections, up to twenty days before Election Day; and

Whereas, Amending the New York State Election Law to allow for early voting in primary, general and special elections has the potential to reduce the State Board of Elections' administrative burdens on Election Day, might shorten lines and minimize consequences of equipment malfunction; and

Whereas, H.R. 6077, introduced on May 5, 2008, in the United States Congress, seeks to, among other things, permit local jurisdictions to conduct early voting for federal elections and require acceptance of absentee ballots without sufficient postage; and

Whereas, S. 3100, introduced on June 6, 2008, in the United States Congress, among other things, amends the Help America Vote Act (HAVA) to require the Election Assistance Commission (EAC) to issue standards for allowing individuals to vote in an election prior to the regularly scheduled election day; and

Whereas, S.3100, also known as the "Voting Opportunities and Integrity in the Conduct of Elections Act of 2008," would require each state to permit any registered voter to vote in a manner other than in person and impose no conditions or restrictions on absentee voting other than a reasonable deadline for returning the ballot;

and

Whereas, Providing early voting access greatly enhances democracy by allowing greater opportunity for voter participation; and

Whereas, The New York City Council supports all legislative measures that would increase New Yorkers' ability to exercise their core democratic right to vote; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress and the New York State Legislature to pass legislation to allow early voting and no-excuse absentee ballots.

IR
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