

Policy & Political Law



JANUARY 2019 • NO. 1

Barriers to Voting Beginning to Fall in New York State

Despite its progressive reputation, New York State has some of the most restrictive voting laws in the country. On Monday, January 14, 2019, both houses of the New York legislature made an aggressive move toward more voter-friendly policies by passing a bold election reform package that is expected to be signed by Governor Cuomo.

The new voting law provisions that will go into effect most immediately include:

- Early Voting ([S1102](#)): Beginning the tenth day prior to Election Day and ending on the Sunday prior to Election Day, registered and eligible voters will be permitted to vote. The current law does not allow early voting; instead, voters must vote on Election Day or have an excuse to vote an [absentee ballot](#). New York joins the vast majority of states that allow early voting.
- Pre-Registration ([S1100](#)): Pre-registration of 16 and 17-year-olds will allow them to be automatically permitted to vote upon turning 18.
- Facilitation of Mover Registrations ([S1099](#)): Currently movers within the state must re-register in their new residential district. This law facilitates transfers of voter registration upon a notice of a change of address or an affidavit ballot with a new address.
- Combining State and Federal Primaries ([S1103](#)): Federal and state primaries will both be held on the fourth Tuesday of June. Currently, New Yorkers have to head to the polls twice for primaries—June for federal elections and September for state elections.

Two major changes to New York voting law took a step forward, but since they are constitutional amendments they must pass the next legislature and also be approved (as early as 2021) by the voters via referenda:

- Same Day Registration ([S1048](#)): New York would join 21 other states that have authorized registering at the polls on Election Day or during the early voting period.
- No Excuse Absentee Voting ([S1049](#)): Currently, New Yorkers need an excuse to vote an absentee ballot. This change would put New York in line with more than half the states that allow no excuse absentee voting.

The election reform package also included a transparency measure related to the so-called “LLC Loophole”—S1101 would require limited liability companies that make political expenditures to disclose all direct and indirect owners.

Be on lookout for more New York election reform efforts later in the legislation session—topics on the agenda may include Automatic Voter Registration, restoration of felon voting rights, Election Day as a state holiday, and voting hour standardization.

These election law changes may affect businesses and other organizations that provide helpful voter information to employees or the public. It is important to assure that registration and get-out-the-vote programs provide accurate descriptions of the available options.

Blank Rome’s Policy and Political Law Capabilities

In October 2018, Blank Rome [announced](#) the formal alignment of [Blank Rome Government Relations LLC](#) (“BRGR”) with the [Firm’s Policy & Political Law](#) (“P&PL”) group. BRGR now can better bring together the Firm’s top legal, lobbying, and strategic communications professionals into a powerful team that can manage virtually every aspect of any governmental issue facing a client. With the addition of the P&PL team, BRGR has improved capabilities to help its clients navigate the complex maze of campaign finance, pay-to-play, election, lobbying, ethics, and related tax laws at the federal, state, and local levels.

For additional information, please contact:

Scott E. Thomas
202.420.2601 | sthomas@blankrome.com

Jennifer L. Carrier
202.772.3034 | jcarrier@blankrome.com