



MEMO OF SUPPORT
LEGISLATIVE DEMOCRACY INITIATIVES
January 11, 2019

- Early Voting - A.780 (Lavine)/S.1102 (Myrie)**
- No-Excuse Absentee Voting - A.778 (Vanel)/S.1049 (Comrie)**
- Same-Day Registration - A.777 (Carroll)/S.1048 (Gianaris)**
- Consolidated Primary - A.779 (Lavine)/S.1103 (Stewart-Cousins)**
- Pre-Registration for Minors - A.774 (Lavine)/S.1100 (Carlucci)**
- Universal Transfer of Registration - A.775 (Dinowitz)/S.1099 (Carlucci)**
- LLC Loophole - A.776 (Simon)/S.1101 (Kavanagh)**

Reinvent Albany supports all seven bills in the Democracy Initiative the Assembly and Senate intend to pass Monday. For the LLC loophole bill, we encourage the legislature to consider chapter amendments negotiated with the Governor that incorporate his call for a ban on all corporate contributions.

This legislation collectively modernizes and improves the voting and registration experience for New Yorkers, bringing New York into the 21st Century, in particular if the constitutional amendments are again passed and then approved by voters.

If New York State implements early voting, no-excuse absentee voting, and same-day registration, it will join 18 states and the District of Columbia (DC) who do so in some form. If no-excuse absentee voting allows for a ballot request by mail (as opposed to in-person absentee voting), it will join just 6 other states and DC and make New York State one of the leading states for voting reforms.

We believe this package thoughtfully improves the voting and registration process. The various elements are phased in over years, so boards of election should be able to effectively implement the many reforms without being overwhelmed.

Reinvent Albany salutes the many organizations, elected officials and their staffs, and everyday New Yorkers who for decades have advocated for a democracy that better enables New Yorkers to participate in the political process.

Early Voting - [A.780 \(Lavine\)](#)/[S.1102 \(Myrie\)](#)

This bill establishes early voting in New York for primary, special, general and runoff elections. Thirty-eight states already have early voting. New Yorkers will be able to vote from 10 days before Election Day through the Sunday before Election Day, including two weekends and weekday evenings. Each county will have at least one early voting site and as many as seven or more depending on the population of the county, with boards of election having discretion in determining where voters can vote early based on criteria in the statute. Early voting will begin with the 2019 general election.

Reinvent Albany supports early voting because it makes it more convenient to vote, and makes it easier for boards of election to administer elections. New Yorkers have busy lives, and those who can't make it to the polls on Election Day because of work or family obligations should still be able to exercise their right to vote. The New York City Board of Elections in particular has struggled to handle many voters turning out on Election Day, resulting in long lines and voters giving up on casting their ballots. Early voting will give boards the opportunity to refine procedures during the Early Voting period and relieve volumes and pressures on the system on Election Day.

No-Excuse Absentee Voting - [A.778 \(Vanel\)](#)/[S.1049 \(Comrie\)](#)

This bill amends the constitution to allow no-excuse absentee voting by mail. Twenty-eight states and the District of Columbia have no-excuse absentee voting. This bill allows voters to vote by mail at their request. It removes constitutionally required excuses like being ill, acting as a caretaker, or not being in the county on Election Day. At the earliest, no-excuse absentee voting will be approved by voters in 2021. First, the legislature will have to pass the same constitutional amendment again, then the voters will have to approve it on the ballot. The legislature will also have to pass a statute to define how vote by mail will work. This will involve changing restrictions in statute which this bill removes in the constitution and involve fundamental decisions like whether voters should have to request a ballot or whether a ballot should automatically be sent to voters.

Reinvent Albany supports no-excuse absentee voting and this first step amending the constitution to provide the legislature with the authority and flexibility to create a vote by mail program. Like early voting, no-excuse absentee voting will make it easier for people to vote who can't make it to the polls on Election Day and will reduce

administrative burdens on boards of election on Election Day. We request the legislature hold hearings on the necessary changes to statute to put into place a vote by mail program, and invite experts from the other 28 states and the District of Columbia to learn from their experience.

Same-Day Registration - A.777 (Carroll)/S.1048 (Gianaris)

This bill amends the state constitution to repeal the requirement that voters register at least 10 days prior to Election Day. Same-day registration is the law in 18 states and the District of Columbia. This bill is the first step in enabling unregistered New Yorkers to register and vote on Election Day if they are eligible. The legislature seated in 2021-2022 must pass this constitutional amendment again, and the voters must approve it on the ballot. The earliest this law can be approved by the voters is in 2021. A companion statute will also need to be passed to define how same-day registration will be administered, and to remove the 25-day statutory deadline for registration.

Reinvent Albany supports this legislation. Approximately 800,000 New Yorkers are not registered to vote but are eligible to. Oftentimes, busy New Yorkers do not think about registering until just before or on Election Day, and they are not able to do so because of constitutional and statutory restrictions that prevent them from registering fewer than 25 days before Election Day. People are most likely to register during the month prior to an election. In New York City alone, more citizens registered to vote in October 2016 than all of 2017. By enabling voters to register and cast their vote on Election Day, we invite people into the democratic process who may not otherwise participate. Research has shown same-day registration can boost voter turnout several percentage points, with some studies showing increases as much as 7 percent.

Consolidated Primary - A.779 (Lavine)/S.1103 (Stewart-Cousins)

This bill consolidates the primary date in June for both federal and state and local elections beginning in 2019, and makes many technical adjustments to milestones and deadlines in the election calendar in moving state and local elections to June. New York is currently the only state in the nation that has separate federal and state primaries. The federal primary was moved to June in 2012 under court order to provide military and overseas voters adequate time to receive their ballots, vote and send them to boards of election. Up until 1974, New York State had a June primary.

Reinvent Albany supports this legislation, which will increase voter turnout while saving New York State an estimated \$25 million per election which should be used to support early voting and other election reforms. New York has experienced low voter turnout

relative to other states in part because we have too many elections - as many as four elections in presidential years.

Pre-Registration for Minors - A.774 (Lavine)/S.1100 (Carlucci)

This bill enables 16- and 17-year-olds to pre-register to vote so that their registration will automatically be activated once they turn 18. Twenty-three states have pre-registration in some for 16 and/or 17-year olds. This bill also requires boards of education to adopt policies encouraging pre-registration, which may include collaborating with local boards of election to do pre-registration drives in schools. It goes into effect in 2020.

Reinvent Albany supports this bill because it empowers schools, parents and community organizations to both formally and informally engage young people to register to vote. The 18-to-29 age bracket has consistently voted the least of any age group in the United States, and encouraging young people to register early could increase turnout significantly. This new system will also spare younger voters from having to send in registration forms when they turn 18, removing an additional hurdle that could keep young New Yorkers from the ballot box.

Universal Transfer of Registration - A.775 (Dinowitz)/S.1099 (Carlucci)

This legislation allows New York State voters to move from one county to another without having to update their voter registration information. Twenty states and the District of Columbia already have some form of this, which is referred to as “universal transfer of voter registration records.” Currently, voters who relocate to another county are required to update their voter registration information (unless it is within New York City). Through universal transfer, voter registration information will be automatically updated by boards of elections, which will transfer the registration from one county to another. Voters can also fill out an affidavit ballot certifying that they have moved; the new address will then be verified with boards of elections.

Reinvent Albany supports this bill because updating registration with an address change was just one more hindrance in a voting system filled with them, and universal transfer of registration is a simple but necessary step toward easing the process of relocating for voters. New Yorkers should be able to move between counties without having to worry about it affecting their registration status and ability to vote in a new district.

LLC Loophole - A.776 (Simon)/S.1101 (Kavanagh)

This bill “closes” the LLC loophole by restricting a limited liability company to a total of \$5,000 annually in campaign contributions, the same limit as for other forms of corporations. Limited liability companies have members, and this bill requires the

disclosure of direct and indirect membership interests in the LLC making a campaign contribution, and for the contribution to be attributed accordingly.

Reinvent Albany prefers a ban on corporate contributions as supported by Governor Cuomo and is law in New York City. LLC contributions to federal candidates are also banned except when LLCs are partnerships or single-member LLCs that have not chosen corporate tax treatment. Real estate companies can have dozens and sometimes hundreds of LLCs because typically each property owned has an LLC.

We recognize, however, this is a substantial improvement over the unlimited contributions LLCs can currently make. While disclosure of members of the contributing LLC is helpful, we are very concerned this will not necessarily result in disclosure of the persons controlling the LLC. This is particularly true if an LLC's members are other LLCs and the LLCs are "stacked" or "nested" to obscure what persons control and fund them.

The Governor has publicly said he would like to ban corporate contributions. We support that goal and we urge the sponsors to work with him to include LLCs in a corporate ban.