



FIRST VOTE

A guide for new voters
in New York State



Written and distributed by the League of Women Voters® of New York State



Co-sponsored by the New York State Bar Association
and its Law, Youth and Citizenship Program
www.nysba.org ~ www.lycny.org

VOTING BASICS

Where can I get information about voting?

Consult or contact the following:

New York State Board of Elections

www.elections.ny.gov | 1-800-367-8683

Your local county Board of Elections

www.elections.ny.gov/CountyBoards.html

New York City Board of Elections

www.vote.nyc.ny.us | 1-866-868-3692

League of Women Voters of New York State

www.lwvny.org | lwvny@lwvny.org | (518) 465-4162

Your local League of Women Voters

<https://my.lwv.org/new-york-state/find-your-local-league>

Vote 411 Electronic Voter Guide

Info on the races and candidates specific for your address.

www.vote411.org

You can also contact political parties, newspapers, candidates and civic organizations, and consult their websites.

AM I ELIGIBLE TO VOTE IN NEW YORK STATE?

In order to vote, you must:

- be a United States citizen
- be 18-years old by the date of the general, primary or other election in which you want to vote
- live at your present New York State address at least 30 days before an election
- not claim the right to vote elsewhere
- have registered to vote
- not be incarcerated for a felony conviction
- not be on parole for a felony conviction (unless you received a conditional voting restoration pardon, or have been issued a Certificate of Relief from Disabilities or Certificate of Good Conduct)
- not be currently adjudged incompetent or incapacitated to vote by order of a court

REGISTERING TO VOTE

Where can I find a NYS voter registration form?

Registration forms are available:

Online (see left for websites):

- NYS Board of Elections (in English and Spanish)
- NYC Board of Elections (in English, Spanish, Chinese, Korean, and Bengali)
- LWV/NYS website
- many county Board of Elections' websites

As hard copy:

- call or visit a Board of Elections' office
- contact NYS government agencies
- visit town and city halls, post offices, public libraries, League of Women Voters

From the Department of Motor Vehicles (DMV):

- When applying for a NYS Drivers License or Non-Driver ID, complete the Register To Vote section of the form. The DMV will forward your information to your county Board of Elections.
- If you already have a NYS Drivers license, permit, or Non-Driver ID, you can register to vote online or update your information on the DMV website.

When do I need to file a voter registration form?

You must file a new form (or register at MyDMV) if you are registering to vote for the first time in NYS, if you change your name, or want to change your party affiliation.

If you move within NYS, you may need to re-register. Please refer to the section on the next page for information about re-registering if you move within NYS.

Where do I file the voter registration form and when is it due?

You can file your completed form by mailing it to your county Board of Elections. The address is on the back of the form. It must be postmarked at least 25 days before the election.

You can also hand in the form in person at your county Board of Elections or at many NYS government agencies on any business day of the year, but you must file it at least 25 days before the election.

What are the identification requirements necessary for voter registration?

The voter registration form asks for the ID number on your current NYS Drivers License or Non-Driver Photo ID, or the last four digits of your Social Security Number. You do not have to supply BOTH of these pieces of information. The Board of Elections will use this ID number to check your identity. If you do not have either of these numbers, you may need to show at your polling place a valid photo ID, a current utility bill, bank statement, paycheck, government check or some other government document that shows your name and address the first time you vote.

How do I know that I have successfully registered?

If you are registered, your county Board of Elections will mail a special postcard to you prior to the election every year stating that you are registered and telling you where to vote (your polling place).

If you are registering for the first time, you should receive a card within 4 to 6 weeks after submitting your application. The card will confirm your registration or ask you for missing information. If you don't get this card, call your county Board of Elections to see if your application was

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processed. You can also use the online facility at the NYS Board of Elections' website (<https://voterlookup.elections.ny.gov/>) to see if you are registered and to determine your polling place.

Can I register to vote before I turn 18-years old?

You may register when you are 17-years old, but you must be 18 by December 31, 2019. Beginning January 1, 2020, you can preregister at ages 16 or 17 but to vote, you must be 18-years old by the date of the general, primary or other election in which you want to vote.

After I have registered for the first time, what if I move within my county or within New York City? Do I need to file a new voter registration form?

If you move within NYS, you may need to reregister. In 2019, NYS passed a law permitting statewide voter registration transfers, also known as "Registration Portability." The law allows the Board of Elections to transfer your registration and enrollment information to wherever you move within the state. This enables you to vote on an affidavit (paper) ballot if you move to a new county even if it has not received your change of address information. Your affidavit ballot will be counted once the Board of Elections verifies your voter registration.

As this is a new law, we strongly recommend that if you move, you still submit a voter registration form with your new information or visit MyDMV to change your registration online.

Do I have to choose a political party when I register to vote?

No, it is your choice. If you choose not to register in a political party, simply mark the box on the form that says "I do not wish to enroll in a party." You may enroll in a party or change your party enrollment at a later time by filing another voter registration form. Beginning January 1, 2020, to vote in a party primary, you may change your party registration up to and including February 14 to take effect for the presidential (April) and federal and state (June) primaries. Any party enrollment changes made after February 14 will not take effect until after 7 days after the June primary.

Is there any benefit to joining a political party when I register to vote?

Yes. Choosing a party allows you to vote in that party's primary election, which in New York State is open only to party members. Also, only enrolled party members can sign nominating petitions, which are circulated by candidates seeking to have their names placed on the election ballot. You do not have to vote for your party's candidates in the general election. You may vote for any candidate from any party.

What is a primary election?

A primary is an election that takes place within each of the political parties before the general election. When two or more members of one political party wish to run for the same position (State Senator, for example), a primary election will be held. The winner of the primary will be the party's candidate in the general election. If there is only one candidate running from a party, there is no primary.

ELIGIBILITY QUESTIONS

I am on parole from prison for a felony conviction. Can I vote?

Individuals who are either incarcerated or on parole for a felony conviction cannot vote. However, under Governor Cuomo's Executive Order 181 issued in April, 2018, you can vote if you are on parole if you have received a conditional voting restoration pardon. You do not need to apply for this conditional voting restoration pardon if you are on parole. To see if you have been granted a conditional voting restoration pardon, check the Parolee Lookup website at <http://www.doccs.ny.gov/ParoleeLookup/Lookup.aspx>. If you have applied for and been issued a Certificate of Relief from Disabilities or Certificate of Good Conduct, you can also vote even if you have been convicted of a felony.

Once parole is completed, you will be eligible to vote but you must reregister by completing a new voter registration form or going online to MyDMV.

I am in jail or prison. Can I still vote?

Yes. You are eligible to vote if you are currently in jail awaiting grand jury action, trial or disposition of a case but not yet convicted of a felony.

You are eligible to vote if you are currently in jail convicted of a misdemeanor.

If you are in jail or prison and eligible to vote, you should register to vote in the county of your permanent address. List the jail or prison address as the place where you receive your mail temporarily.

I am eligible to vote, but since I am in jail or prison, I will not be able to go to the polling place to vote. What should I do?

You may vote by absentee ballot. To get an absentee ballot, you must fill out an

absentee ballot application form. You can request the application form by writing to your county Board of Elections or you can download one from the New York State Board of Elections' website (<http://www.elections.state.ny.us>). There is a check box related to imprisonment on the absentee ballot application in the section where you state the reason for your needing to vote by absentee ballot. Write the jail or prison address as the location where the ballot should be mailed.

When completed, your application must be mailed or delivered to your county Board of Elections. Once they have received your application, your county Board of Elections will mail your ballot to you. To vote by absentee ballot in New York State, your ballot must be postmarked on or before Election Day and must be received by the Board of Elections no later than seven (7) days after Election Day.

I'm homeless. Can I vote?

Yes, you can register to vote if you meet the other requirements. You should list the location – park, shelter, etc. - where you regularly stay as your place of residence, but you must provide a mailing address so that notifications from the Board of Elections can be mailed to you. The mailing address provided can be a shelter. You will receive a postcard from the Board of Elections at the address you list that will tell you where to vote. You will need to provide some kind of identification as described above.

Will I be called for jury duty if I register to vote?

Jury duty lists are selected randomly from licensed drivers, state taxpayers, social services recipients, and registered voters. You have just as much chance to be selected as a juror if you drive as you do if you are a registered voter.

VOTING PROCEDURES

What do I need when I go to vote?

You must be registered. If you registered by mail or online, you may be asked for identification the first time you vote. Acceptable forms of ID include a Drivers License or current photo ID, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows your name and address.

How do I find out what I am voting for before I get my ballot?

It is wise to know who and what will be on the ballot before you go to your polling place. Many newspapers and the League of Women Voters publish voters' guides before elections listing the candidates and their background information. Your Board of Elections' website often provides information on what offices are to be filled and who the candidates are. The website VOTE411 (www.VOTE411.org) provides information on the races and candidates specific to your address. When you enter your polling place, look for a sample ballot listing the candidates and their party affiliations, the offices they are seeking, and any questions placed before the voters.

What are referendum questions, ballot issues and propositions?

These are proposals by local or state legislatures that are voted on by registered voters. For example, the legislature may propose an amendment to the State Constitution or ask for approval for the borrowing of money for a specific purpose such as a highway. These proposals require a "yes" or "no" answer, and are easy to miss. Remember to look for them on the back of your ballot.

What are "Write-ins"?

Any person's name that is not listed on the ballot can be written in by you for any office. Write in the name of the candidate of your choice on the line of the ballot that says "WRITE IN."

How do I vote?

When you enter the polling place, sign in with one of the poll workers. If you have any questions at any point in the process, be sure to ask a poll worker; they are there to help you. In most NYS counties, voters use paper ballots and optical scanning equipment. The poll worker will give you a ballot and a privacy cover so that you can keep your vote secret. You will be directed to a booth to mark your ballot in private. Make sure to mark the ballot according to the directions. You will then take your ballot to the scanner and feed it in. The scanner counts your vote and your paper ballot is securely saved in case a recount is needed. Some counties may be using a new all-in-one voting machine on which you will be selecting your choice of candidates on a computer and verifying your ballot before it is cast. You can check with your local Board of Elections.

What if my name is not in the paper poll book or on electronic poll book?

If you are at a poll site on General Election Day, and your name is not in the poll book (either paper book or electronic poll book), ask to complete an affidavit ballot (sometimes called a provisional ballot). Make sure you are at the correct poll site for your address, and if so, do not leave without completing an affidavit ballot. After the General Election Day, the county Board of Elections' office will research your registration and count your affidavit ballot, if you are a qualified voter. You should follow up with a call or visit to your county Board of Elections to confirm that your ballot was counted. In certain counties, including NYC, the Board of Elections will send you a letter advising you whether or not your vote was counted.

Suppose I need help or am disabled in some way?

If you have any questions about the voting procedure, ask the poll workers to help you. They can show you how to use the voting machine. You may bring a friend or relative

with you to help you vote, but not your employer or union representative. Each poll site has a special machine called a Ballot Marking Device (BMD) for disabled individuals – the blind or visually impaired, for example - that will allow them to vote privately using special equipment. Ask for help to use this equipment.

WHO IS ELECTED WHEN?

When are elections held?

Primary elections in New York State - other than presidential primaries - will be held the fourth Tuesday in June. Presidential primaries for the 2020 election will be held in April. Polls for all elections will be open from 6 a.m. to 9 p.m. in all counties beginning in 2020.

General elections are held on the first Tuesday after the first Monday in November. Poll sites are open from 6 a.m. until 9 p.m. Starting in 2019, there is early voting in New York State. Early voting allows you to vote in person at a poll site within your county for nine (9) days before the General Election Day. The poll sites for early voting will not necessarily be your usual poll site. Each county Board of Elections will determine the location, hours and whether you can vote at any poll site in your county for early voting or at an assigned one. Check with your county Board of Elections or state League's website www.nyearlyvoting.org. You do not need a special reason to vote early and your vote will be counted on Election Day.

Voting on school budgets and the election of school board members usually occur on the same day in May throughout New York State; check with your local school district for information for dates and information on the ballot. Many village elections are held in the spring. Check with your county Board of Elections for the dates and polling times for these elections.

How do candidates get on the ballot?

Most candidates get on the ballot by filing a petition containing a specified number of signatures of members of their

political party, as required by the New York State Election Law. Some political parties designate particular candidates at their conventions.

Are some elected offices voted on during even-numbered years and others during odd-numbered years?

Yes. In every even-numbered year, New York State citizens elect the following to two-year terms:

- all members of the U.S. House of Representatives who represent us in Washington, D.C., and
- all members of the New York State Assembly and Senate who represent us in Albany.

In every other even-numbered year, every four years, ballots are cast for President and Vice President of the United States.

In even-numbered non-presidential-election years, every four years, New York State citizens elect the following state officials:

- Governor and Lieutenant Governor
- Comptroller
- Attorney General.

U.S. Senators, who represent New York State in Washington D.C., are elected to 6-year terms in some even-numbered years. One third of the U.S. Senate runs for election on any given even-numbered year.

In odd-numbered years, ballots are cast for many local town, county and city offices as prescribed by their charters. Some local elections are also held in even-numbered years. Check your county Board of Elections for dates of elections in your area.

ABSENTEE VOTING

Can I vote if I won't be home on Election Day?

Yes. Any qualified registered voter may vote by absentee ballot if unable to vote in person due to any of the following reasons:

- absence from county or New York City on election day
- temporary or permanent illness or physical disability
- permanent illness or physical disability
- duties related to primary care of one or more ill or physically disabled individuals
- a patient in a VA Hospital
- detention in jail/prison, awaiting trial, or action by a grand jury, or in prison for a conviction of a crime or offense that was not a felony.

An application for an absentee ballot must be filled out and submitted to the Board of Elections by mail by seven (7) days before Election Day, or in person by the day before Election Day. The Board of Elections will mail or give you an absentee ballot. Fill the ballot out, and mail it by the day before the election, or hand deliver it to your Board of Elections before or on Election Day.

Starting in 2019, early voting will be available in NYS allowing you to vote in person at a poll site within your county for nine (9) days before the General Election Day, excluding the Monday before Election Day. Contact your county Board of Elections or the state League's website (www.nyearlyvoting.org) for more information.

What if I join the military and am sent away from home or overseas?

Every base has a voting officer who has information about the voting requirements

for each state. Military and overseas voters are eligible to apply for and receive their ballots electronically. Ask your voting officer for assistance, or check the government's web pages for information. There is also information on the NYS Board of Elections' website at: <https://www.elections.ny.gov/VotingMilitaryFed.html>.

If I am disabled, must I vote by absentee ballot?

No. Each poll site must have a ballot-marking device for disabled individuals that allows you to vote in privacy. You may ask for assistance. Not all poll sites are accessible to the disabled. If you require special access, check with your local Board of Elections to determine accessibility. If your assigned poll site is inaccessible, ask the Board of Elections to assign you to an accessible poll site.

You may also vote by absentee ballot. If you have a long-term illness or disability, you can apply for a permanent absentee ballot and you will automatically receive your ballot before each primary and general election.

Where do I vote when I am in college out-of-town?

When attending college outside your hometown, you may vote in person or by absentee ballot in your home community if you are registered to vote there.

Many states allow college students to register and vote where they attend college but some do not if students are not permanent residents in that state. Check with the town or city clerk or the county Board of Elections in your college community to find out if you may vote there.

EVERY VOTE COUNTS! YOU CAN MAKE A DIFFERENCE IF YOU BECOME INFORMED, BECOME INVOLVED, AND MAKE YOUR VOICE HEARD! REGISTER AND VOTE!

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