

# Q&A FOR AUTOMATIC VOTER REGISTRATION

## Which bill are we supporting?

- There is no one bill that is perfect and that the coalition stands behind.
- The primary bill is Senator Glanaris' bill S1278 New York Automatic Voter Registration Act of 2019. This bill still needs improvements (as all bills do), but it's a good starting point.
- The Governor's bill in the budget was very strong, covered some pieces missing in Glanaris' bill.
- The public hearing will be used for this purpose - to address issues and then fix it.

## What's the status of the bill?

Because of the intricacies in crafting a bill that increases equitable access to the ballot while protecting our most vulnerable neighbors, we are moving forward intentionally — with community input and in collaboration with the legislature — to determine the right path forward for New York. It looks possible to pass this session with enough pressure.

## How are we protecting people in vulnerable populations?

Our foremost goal at Let NY Vote is to ensure that no one is harmed during this process. Any bill must address this and protect our most vulnerable populations.

- **Ineligible people**
  - There's always a risk that you'll accidentally registered even if you're ineligible.
  - Need protections in place to get it as close to zero as possible.
  - Need protections in place so that if someone who is ineligible is registered they are protected by the state from deportation, prosecutions, etc. Ex:
    - Proper notice for registration that they need to know that they need to opt out if they're ineligible.
    - Automatically filter people out of the system if there is already proof that they are ineligible.
    - If someone is inadvertently registered they won't be guilty of a crime (the state authorized it so they weren't in violation of a law).
- **People with confidentiality needs** (domestic survivors) need to:
  - Be informed that their address by default is public knowledge.
  - Have a meaningful opportunity to request that it is kept confidential.
- **Party affiliation deadline.** Since New York is a closed primary state (with a long change of party affiliation deadline), any bill needs to address this:
  - Should become affiliated when they register (if they want to be)
  - Or given the chance to register when they go to vote for the first time (one recommendation makes your first time voting open, and then you are automatically registered in the party whose primary you chose to vote in).

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### **What's the difference between front end and back end?**

- California model "front end" - you are offered notice and an opportunity to opt out during your interaction with the state agency (ex: at the counter at the DMV).
- Oregon model "back end" - you are automatically registered with you interact with an agency, then you are sent a mailer where you can choose to opt out by mailing it back.
- NY does not have any bill that is entirely back end. Some bills allow for back end if they can do it properly (ex: if they have accurate citizenship records), but otherwise it will be front end.
- If you're asked, just say "I want a system of AVR - whatever the system is, we need to be sure that it's providing for protecting our most vulnerable populations, for ineligible people and domestic survivors, to make sure that they know that they're being registered and have a meaningful opportunity to opt out."
- Most likely that a front end version passes this session but the coalition doesn't take a position on front end vs. back end as long as it protects people. We want AVR this session!

### **Which agencies would be involved?**

We cannot limit the agencies to the DMV - that would make representation less equitable (1 in 5 people in NY do not interact with the DMV). We've been advocating for this, and nearly all bills are now AVR plus. Other agencies aren't as prepared as the DMV, so there will be more work to do to get them ready.

- Sooner > These agencies are prepared
  - Department of Health, Medicaid offices
  - DMV
- Eventually > Once they're ready to do this properly and safely
  - Any state agency that offers disability services and public assistance
  - Plus anywhere where the state is already offering voter registration services
- **Can we have opt-in at NCYID?** One thing to be cautious about here is that it's offered to non-citizens and undocumented people, so the risk is higher here of accidentally. The state could choose to "allow" but not "mandate" here.

### **Will people who have finished their prison sentences be automatically re-enrolled?**

- Possible in the future. We would have to pass Restore the Vote bill that would automatically restore their right (right now the Governor needs to pardon them person by person).
- It could be allowed for in this bill so that once Restore the Vote passes it sets in (not sure if it's included in all bills yet).

### **Will people receive automatic registration upon being sworn in as a citizen?**

- No. That's federal so not within the NY legislature's ability to tell the federal system what to do.

### **Will people receive automatic registration when they put in an address forwarding form? What about automatic transfer of voter registration?**

- No. That's federal, not within the NY legislature's ability to tell the federal system what to do.
- Yes (transfer). We already passed a bill this session that provides for Registration Portability so this also transfers if you're already registered (but isn't an automatic new registration).

### **IMPORTANT FOLLOW UP**

- Once the bill passes there's still advocacy work to be done to keep an eye on these agencies and make sure it's implemented correctly and goes into effect properly.
- Much of the trouble in other states were not because of bad bills, but because of ineffective bureaucracies at the state agencies.

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