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**Note:** This FAQ is not exhaustive. Situations or inquiries may arise that are not answered below. In those circumstances, contact your hotline captain or command center for assistance. Please make sure to record all of the voter's contact information should follow-up be necessary.

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## REGISTERING TO VOTE

### 1. STATUS: Am I registered to vote?

A voter may determine whether they are registered to vote by checking the New York State Board of Elections website (<https://voterlookup.elections.ny.gov/>). The terms of use of that site only permit registered voters in NY to look up records in the state voter registration database. As a result, hotline volunteers should provide info to a caller about accessing the website, but not perform the lookup for them.

An individual is eligible to register to vote in New York if they meet ALL of the following requirements:

1. U.S. Citizen;
2. Is/will be Eighteen years of age or over on Election Day; and
3. Has been a resident of New York and of the county, city, or village for at least 30 days before the election (Election Law §5-102.2.).

Additionally, to be eligible to vote in New York an individual shall not:

- Be in prison or on parole for a felony conviction (unless parolee has received a voting pardon or their rights of citizenship have been restored)(note that once the sentence has been fully exhausted or parole has been discharged, the person shall no longer be subject to this restriction);<sup>1</sup>
- Be adjudged mentally incompetent by a court;
- Have claimed the right to vote elsewhere

### 2. HOW: How do I register to vote? What if I don't have access to a computer and/or printer?

Forms to register to vote are available to be downloaded and printed from the NY state board of elections page, [www.elections.ny.gov](http://www.elections.ny.gov). You may also request a registration form by calling 1-800-FOR-VOTE, and when completed, the form can be mailed to your county board of elections. You may also register in person at your county board of elections or at any NY State Agency based voter registration center, and if you have a DMV issued ID, at DMV offices.

Residents of New York City can request an absentee ballot online at: [nycabsentee.com](http://nycabsentee.com). Residents of Erie County (including Buffalo) can request an absentee ballot online at: <https://www.elections.erie.gov/AbsenteeApp>. Residents of all other counties who live at the address at which they are registered can apply online at: <https://absenteeballot.elections.ny.gov/>.

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<sup>1</sup> Legislation passed by the New York Legislature in May of 2021 (Chapter 103/A4448A/S00830-B) will restore the right to vote to parolees upon their release from incarceration beginning in early September of 2021, when the legislation's relevant provisions go into effect. For the upcoming primary election, however, New York's prohibition on voting by parolees remains in effect.

**3. IDENTIFICATION: What ID is required to register to vote and when voting?**

Identification is not required when initially registering to vote. Voter registration forms include a question asking for information about the voter's NY State DMV number or last four digits of their SSN, or to state that the voter has neither a NY State DMV number or SSN.

The only condition under which a voter will be required to provide ID while attempting to vote is if she is a first-time voter who registered by mail on or after January 1, 2003, and did not provide her last four digits of her social security number or her New York driver's license number on her voter registration form. In this case, a voter may provide any of the following IDs:

- A current driver's license or a DMV non-driver photo ID or other current and valid photo identification (e.g., student ID, passport), or
- A copy of a current utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the voter.

If the first-time voter does not produce the above forms of identification, the voter can vote by affidavit (provisional) ballot. However, you should encourage first-time voters who registered by mail to provide ID instead of casting an affidavit ballot. If an ID is not provided on Election Day, but is otherwise required before the election is certified, the affidavit ballot will not be counted. If the voter uses an affidavit ballot, she should be provided with a piece of paper containing information about whatever next steps she needs to take to have her affidavit ballot counted, and how to track whether it is counted.

A voter who proclaims a change in name should be permitted to vote in the same manner as other voters, unless challenged on other grounds.

**4. DEADLINES: When is/was the voter registration deadline? Are there different deadlines whether I register by mail, in-person, online or on Election Day?**

*PRIMARY ELECTION: The in-person and mail-in registration deadline for the June 22, 2021 primary election is May 28, 2021. New York requires all voters seeking to vote in a party primary to register with the party for which they will cast their vote.*

**5. SAME DAY: Does my state have Same Day Registration (i.e. I can register to vote the same day I vote)? If so, what is the process?**

No. A voter must have applied to register to vote prior to the deadline (See Question 4).

**6. PERMANENT MOVE: I have moved permanently and I didn't update my voter registration, can I vote?**

If a voter has moved (within the state) and the voter registration deadline has not yet passed, the voter should register to vote at her new address. The voter registration form should be used as a change of address form. Notices of change of address from registered voters received at least 20 days before a

special, primary or general election by a county board of elections must be processed and entered in the records in time for that election.

However, if the voter did not change her address by the change of address deadline, then the voter may cast an affidavit ballot at the polling site where they currently reside (aka their “new” address”). A person who claims to have moved to a new address within the election district in which he or she is registered to vote shall be permitted to vote in the same manner as other voters unless challenged on other grounds. (Election Law 8-302).

If it is after the deadline, your options depend on where you moved from and to:

- If you moved **within the same Election District** (NY’s term for “precinct”), go to your polling place (which should be the same for your old and new address if you’ve moved within the same precinct) and provide the poll worker with your new address. You should be able to vote a regular ballot.
- If you moved **within New York State** (even if between counties or boroughs), go to the polling place for your NEW address and cast an affidavit ballot there. The affidavit ballot should be counted and your address changed in the voter registration records. You can find your new polling place by entering your new address in the county board of elections website lookup.<sup>2</sup>

**7. TEMPORARY MOVE: I have moved temporarily due to Covid-19 or some other reason. Where can I vote?**

A voter who temporarily removes from his residence but remains eligible to vote from that residence should request an absentee ballot from the county of their permanent residence and identify absence from the county or New York City on election day as their reason for requesting an absentee ballot.

**8. STUDENT: I am a college student. Can I register to vote where I go to school? What if I am taking classes remotely? Where can I vote?**

*Yes. College students who meet the registration requirements may register to vote where they go to school so long as they legitimately consider the location of their college to be the place where they maintain a fixed, permanent and principal home, to which they, wherever temporarily located, always intend to return. We haven’t been able to find guidance addressing any special rules for remote learning. If a student has relocated permanently to New York to attend school, even if classes are remote, they should be able to register to vote in NY under the general rule. If they are not physically present in New York, the result would be different. If the student leaves NY for school on a temporary basis and intends to return, they can use the temporary absence statement as noted in Question 7.*

*If a student has been turned away at the polls, verify that she was registered to vote in that location by the deadline (See Question 4). If so, contact your hotline captain or command center.*

**9. LIVING ABROAD: I am living abroad and/or am serving in the military. How can I register and/or vote?**

Persons serving in the military, along with their spouses and/or dependents, may register as a military voter in New York, entitling them to receive an absentee ballot for all federal, state and local races that

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<sup>2</sup> See N.Y. Elec. Law 8-302.

they would be otherwise entitled to vote in if they were to go to their assigned polling place based on their New York residence.

United States citizens living outside of the United States whose last U.S. residence was in New York, along with their children, may register as a special federal voter in New York, entitling them to receive an absentee ballot for all federal races (President/Vice President, U.S. Senate and House of Representatives) that they would be otherwise entitled to vote in based on your New York address.

To register as a new military voter or a new special federal voter and/or to request an absentee ballot, you must complete a Federal Post Card Application and return it to your county board of elections in New York.

This application will register you (if not already registered) and will also serve as your absentee ballot application for 2 federal general election cycles. Always be sure to share any change of address information with your county board of elections. Applications are available from your Voting Assistance Officer on base (for military voters), or you can visit the Federal Voting Assistance Program Website for forms and information. On this application, you may state a preference as to how you would like to receive your ballot. You can choose mail, fax or email as a preferred method of transmission. If you have stated a preference to receive your voting materials by email/online, you will receive an email notification directing you to the State's online ballot delivery site, <https://nysballot.elections.ny.gov>.

Questions? Call the State Board of Elections at 518-474-1953 or the Federal Voter Assistance Program at 1-800-438-8683, or contact your Voting Assistance Officer or US Embassy office or Consulate.

#### **10. CRIMINAL CONVICTION: I have a criminal conviction. Can I vote?**

A citizen cannot vote in New York if convicted of a felony and currently serving a sentence of imprisonment or parole unless while under parole they receive a special voting pardon and register to vote.<sup>3</sup> After completing a prison and/or parole sentence, an individual must re-register to vote. Citizens who are on probation, however, retain their right to vote.

In April 2018, the Governor signed an Executive Order that anticipated granting conditional pardons to individuals under parole supervision to restore voting rights ("voting restoration pardons").<sup>4</sup> Parole officers generally hand deliver voting restoration pardons to individuals under their supervision, along with a voter registration form and location of the voter registration office. The [Parolee Lookup feature](#) of the New York Department of Corrections and Community Supervision ("DOCCS") website can be used to identify whether a parolee has received a voting registration pardon. A parolee who has received a voting restoration pardon must be permitted to register to vote.

#### **11. INCARCERATED: I am currently in jail. Can I vote?**

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<sup>3</sup> N.Y. Elec. Law § 5-106. However, legislation passed by the New York Legislature in May of 2021 (Chapter 103/A4448A/S00830-B) will restore the right to vote to parolees upon their release from incarceration beginning in early September of 2021, when the legislation's relevant provisions go into effect. For the upcoming primary election, however, New York's prohibition on voting by parolees remains in effect.

<sup>4</sup> N.Y. Exec. Order No. 181 (April 18, 2018), [https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO\\_181.pdf](https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO_181.pdf).

See question 10. If you are in jail and have been convicted of a felony, you may not vote. If you have not been convicted of a felony, your voting rights are retained. Individuals in this situation who have not been convicted of a felony may vote from jail on an absentee ballot. See Question 23.

**12. NOT ON ROLLS AT POLLING PLACE: I am at my polling place and am not on the voter registration roll. Can I vote where I am?**

Verify that the voter is registered to vote in this election and at the correct polling place (and election district/table within the polling place) on the NY Board of Elections website. If the voter is in NYC, this lookup tool can be used to find their polling place and election district. If the voter is registered, and is in New York City, make sure that the poll worker has checked the electronic poll book and verified the voter's polling place.<sup>5</sup>

If the voter's name is still not found, but she is confident that she registered to vote by the deadline, flag your captain or call your command center for help. Voters in this situation have two options:

1. Go before a judge, who has the authority to order that the voter be given a regular ballot. These judges are typically at the county boards of elections office, but call the county with, or on behalf of, the voter to confirm before sending her there. The voter would have to make her case to the judge. Consult with your captain, who may be able to provide more details on the process and will know if there is an Election Protection volunteer on site at the board to help the voter through the process. OR
2. Vote with an affidavit ballot. As long as the voter is registered to vote at that polling place (even if it turns out to be the wrong election district), the affidavit ballot should be counted for the offices the voter is eligible to vote for. However, a ballot cast in the wrong polling place (where the voter is not registered) will not be counted. If the voter has to cast an affidavit ballot, let her know that the poll worker should give her a piece of paper with a website and/or phone number she can use to find out whether her affidavit ballot was counted. ([Link not available at time of publication but you can check the Board of Elections website to see if you can provide the voter with the link.](#))

**13. THOUGHT WAS REGISTERED: My name isn't on the voter registration roll but I thought I was registered. Could it have been removed? What do I do?**

A voter's name can only be removed from the state database of registered voters for any of the following:

- *The voter has moved outside the state,*
- *The voter has been convicted of a felony disqualifying her from voting,*
- *The voter has been adjudged an incompetent,*
- *The voter has refused to take a challenge oath,*
- *The voter has died,*
- *The voter has personally asked to have her name removed,*
- *The voter is otherwise no longer qualified to vote, or*

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<sup>5</sup> A minority of New York counties still use paper pollbooks. In that case, poll workers should check both the regular poll book, the inactive voter roll, and the supplemental poll book. The Supplemental poll book may contain voters whose registrations were processed after the regular poll books were printed or inactive voters. Not all polling places will have supplemental books, but it is important to check.

- *The voter did not vote in the last two federal General Elections when the voter was in inactive status, and the Board of Elections was uncertain whether the voter still resided in the same county or city.*
- *The voter has allegedly moved away from their address of registration and goes through New York's list maintenance procedure pursuant to Section 8(d) of the National Voter Registration Act, which involves being sent a confirmation notice in the mail, not responding to that confirmation, and failing to vote or contact election officials within the next two federal general election cycles.*

A voter whose name was removed for any of the above reasons, but is eligible to vote, must re-register or apply to a court of law for restatement to have her name restored to the statewide voter registration system. The voter can cast an affidavit ballot to have her name restored to the voter rolls. A completely filled out affidavit ballot will serve as a voter registration form for future elections.

## HOW TO VOTE: EARLY VOTING

### **14. AVAILABILITY: Is there early voting in my state (whether called early voting or in person absentee voting)? When is it?**

Early voting is held beginning the tenth day prior to the election and ending the second day prior to the election. Early voting for the June 22, 2021 primary election takes place from June 12 through June 20, 2020.

Registered voters may vote by mail or in person at their county Board of Elections office before Election Day. NYC BOE changed the early voting hours to: 6/12-6/13, 6/19: 8am-5pm; 6/14, 6/18: 7am-4pm; 6/15-6/17: 10am-8pm; 6/20: 8am-4pm

### **15. ELIGIBILITY: Do I have to have a reason to vote early?**

Any person otherwise eligible to vote is entitled to vote early.

### **16. WHEN: When do the polls open/close during early voting?**

Check with the county elections website to see specific times for each day in the early voting period. General rules require polls to be open at least eight hours between seven a.m. and 8 p.m. during weekdays, with at least two weekdays days with polling places open until 8 p.m., and for at least six hours between 9 a.m. and 6 p.m. on weekends and holidays during the early voting period.

### **17. WHERE: Where do I vote during early voting?**

Polling locations and hours are determined by county boards of elections. To locate an early voting site:

- In New York City: <https://vote.nyc/page/primary-election-june-22-2021>

- For the rest of the state: the Get to the Polls tool at <https://voterlookup.elections.ny.gov/> (note: you will have to click through to the county homepage)

Any voter may vote at any early voting location in her county outside of New York City. New York City voters may only vote early at their designated (assigned) early voting location.

**18. IDENTIFICATION: What identification is required for early voting? Can I vote without providing identification?**

There are no special requirements for identification for early voting that don't otherwise apply. The early voting ballots are treated in the same manner as voting on Election Day.

## HOW TO VOTE: ABSENTEE AND/OR VOTE BY MAIL

**19. AUTOMATIC: Do I have to request an absentee ballot or will my state mail me one automatically? How do I request one?**

To vote by absentee ballot, a voter must mail or deliver a request for one to the county Board of Elections. This may be done via the official application (which can be picked up at the County Board of Elections' office), online (<http://www.elections.ny.gov/VotingAbsentee.html> or <https://nycabsentee.com/> in NYC), or by email, or by mailing a letter with the following information:

- *Name, date of birth*
- *Address on voter registration,*
- *Mailing address (if different),*
- *Reason for voting absentee, and*
- *Signature*

If you apply by email or letter, an application form will be mailed with the ballot, and for most elections, you must complete and return the application form with the ballot. NYC residents can also call 1-866-VOTE-NYC and request an application at [nycabsentee.com](http://nycabsentee.com).

**20. APPLICATION DEADLINE: What is the deadline for requesting an absentee ballot?**

For the June 22, 2021 primary election, the deadline to request an absentee ballot by mail is June 15, but an absentee ballot may be requested in person at the applicable county board of elections until June 21, 2021. Voters are urged to request an absentee ballot as early as possible and not to wait for the absentee deadline, if feasible.

**21. APPLICATION RETURN: Where and/or how can I return my absentee ballot application? Can someone return it for me?**

Absentee ballot applications may be submitted online, by email, fax or by mail no later than June 15. For mailed applications, they must be postmarked by June 15. Waiting to apply for an absentee ballot until June 15 may result in the absentee ballot not reaching the voter by June 22. Alternatively, voters

may apply for an absentee ballot application in-person at their county board of elections up until June 21 (i.e. the day before the election).

**22. DIDN'T REQUEST IN TIME: What if I have not requested an absentee ballot by the deadline?**

You may apply in person up to the day before the election at your county board of elections. Or vote early in person between June 12 and 20.

**23. ELIGIBILITY: Do I have to have a specific reason for requesting to vote by absentee ballot?**

For the primary election a qualified voter may only vote absentee if she expects to be:

- *Absent from your county or, if a resident of New York City absent from the five boroughs, on Election Day.*
- *Unable to appear at the polls due to temporary or permanent illness or disability (the definition of "temporary illness" has been temporarily expanded to include "a risk of contracting or spreading a disease" such as COVID-19).*
- *Unable to appear because you are the primary care giver of one or more individuals who are ill or physically disabled.*
- *A resident or patient of a Veterans Health Administration Hospital.*
- *Detained in jail awaiting Grand Jury action or confined in prison after conviction for an offense other than a felony.*

**Note that while reasons are required for absentee voting, NY law provides that risk of contracting or spreading COVID-19 is a recognized reason for absentee voting through December 31, 2021. Effectively, this means that anyone who has fears about in person voting due to COVID-19 may vote by absentee ballot by selecting the box for "temporary illness." Governor Coumo issued a press release about this topic, with the stated purpose of raising awareness about the accessibility of absentee voting, and this is consistent with guidance offered by the NYC BOE.<sup>6</sup>**

Applying for absentee ballots:

*DEADLINES FOR JUNE 22, 2021 PRIMARY ELECTION*

<i>Date</i>	<i>Deadline Information</i>
<i>June 15, 2021</i>	<i>Last day to postmark an application or letter of application by mail for an absentee ballot. Same deadlines apply for military voters (if previously registered)</i>
<i>June 21, 2021</i>	<i>Last day to apply IN-PERSON for absentee ballot.</i>
<i>June 22, 2021</i>	<i>Last day to postmark ballot, ballot must be received by the county board no later than June 29.</i>
<i>June 22, 2021</i>	<i>Last day to deliver ballot IN-PERSON to the local board of elections by close of polls on election day (9 p.m.).</i>

However, if the voter is mailing the application, encourage her to do so as soon as possible, due to potential postal service delays.

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<sup>6</sup> See <https://vote.nyc/page/absentee-voting-0>.

If a voter cannot pick up her ballot, or will not be able to receive it through the mail, the voter has the right to designate someone to pick it up for her. Only that person designated on the voter's application may pick up and deliver the voter's ballot.

Deadline to deliver absentee ballots in-person: If the ballot is delivered in-person, the board of elections must receive a voter's absentee ballot before the close of polls (i.e., 9 pm) on Election Day.

**24. STATUS OF APPLICATION AND/OR BALLOT: How can I check the status of my application and/or absentee ballot?**

New York City and Erie County are the only municipalities which allow voters to track the status of their absentee ballot online. The State and other County elections websites do not currently provide an option to look this up.

**25. APPLICATION AND/OR BALLOT REJECTED:**

I learned my absentee ballot application and/or ballot was rejected. What can I do to fix any errors or get another one?

If the application is rejected by the board of elections, upon receipt of notice, the voter may provide information to demonstrate that the applicant is in fact qualified as a voter and entitled to receive an absentee ballot. The applicant may provide an affidavit or sworn statement to the board demonstrating the basis for qualification, and if timely provided and the board is satisfied with the information, the board will provide a ballot, if feasible, with at least one day to complete the ballot and time for delivery of the ballot prior to the deadline. If the voter learns of the defect prior to the election, he can vote in person, and the absentee ballot will be discarded. Also, Election Law 9-209 provides that a later dated absentee ballot will be counted if more than one ballot is received from the same voter, but only if it can be clearly determined that one is later dated—if not, both will be rejected.

**26. COMPLETING BALLOT: How do I complete the absentee ballot? Are there any identification requirements?**

Once you receive the ballot, mark the ballot according to your choices for each office following the instructions on the ballot.

Once you have completed marking your ballot, fold it up and place it in the Oath Envelope (this envelope will have a place for your signature and has OFFICIAL ABSENTEE BALLOT ENVELOPE or BALLOT ENVELOPE printed on it.).

Sign and date the outside of the Oath Envelope.

Seal the Oath Envelope.

Place the Oath Envelope in the Return Envelope. (This envelope will have the return address of your county Board of Elections on the outside and should have a logo that reads, "Official Election Mail" and

is marked 'Return Envelope') (If a NYC voter, insert the Oath Envelope so that the bar code on the Oath Envelope is visible through the window in the reply envelope.)

Seal the Return Envelope.

You may return the ballot in any of the following ways:

- a. Put it in the mail ensuring it receives a postmark no later than June 21.
- b. Bringing it to the County Board of Elections Office no later than June 21 by 9pm.
- c. Bringing it to an early voting poll site between June 12 and June 20.
- d. Bringing it to a poll site on June 21 by 9 pm.

RETURN POSTAGE IS NOT PROVIDED FOR ABSENTEE BALLOTS, VOTERS MUST PROVIDE POSTAGE.

**27. LOST OR SPOILED: What if I lost my absentee ballot or it is spoiled or I received an incorrect one?**

You should contact your county board of elections and explain the issue and request a replacement absentee ballot, assuming that there is sufficient time. If time is short, you can contact the county board of elections and arrange to pick up the ballot in person, or through a person you designate to pick it up.

**28. NON-RECEIPT OF BALLOT: What if I requested an absentee ballot but have not received it? Can I do anything?**

Up to the day before the election, you may apply for and obtain an absentee ballot in person at your county board of elections. You may also contact your county board of elections for further assistance.

**29. IN PERSON OPTION: What if I requested an absentee ballot but I want to vote in person on Election Day?**

An individual may still vote in person. If the individual votes in person after submitting an absentee ballot, the absentee ballot will be set aside.<sup>7</sup>

**30. BALLOT DEADLINES: What is the deadline for the ballot to be postmarked and/or received by, including dropping it off in person?**

See the deadlines in Question 26 above. A timely mailed absentee ballot must be received at the county board of elections by 7 days after the election (June 29) to be counted. (Election law 8-412).

**31. BALLOT DROP OFF LOCATIONS: What are the locations for dropping off a completed ballot (instead of mailing it)?**

NY does not have free-standing drop boxes. Drop boxes are found at each county boards of elections office and at every early voting and Election Day polling location. Absentee ballots may be returned to

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<sup>7</sup> See N.Y. Elec. Law § 9-209(2)(a)(i)(A).

any early voting or Election Day poll site in the voter's county of registration, or, in New York City, within the 5 boroughs.

### **32. ASSISTANCE DROPPING OFF: Can someone drop off my completed ballot for me?**

The NY Election Law requires that the envelope containing the ballot shall be mailed or delivered to the board of elections of the county or city of his residence. It doesn't specify that the delivery must be by the voter, but the voter must complete the ballot, seal it in the inner envelope which is then signed and inserted in the outer envelope for mailing or delivery.

### **33. IN PERSON ABSENTEE: Where do I vote in-person absentee?**

You may vote absentee in person at your county Board of Elections until June 21.

## **HOW TO VOTE: ELECTION DAY**

### **34. HOURS: When do the polls open and close on Election Day? What if the polls are closing but I'm in line?**

**\*Note to hotline volunteer:** If you learn that a polling place prohibits those who were in line by the time the polls closed from voting, advise voters to stay at the polling location and contact your hotline captain immediately.

Early Voting: Early voting hours vary by county.

Primary Elections: 6:00am – 9:00pm statewide.

Any eligible voter in line or inside the polling place by 9:00 p.m. must be allowed to vote. If you are a hotline volunteer or a field volunteer and learn that a polling place is not open on time, or prohibits those who were in line before 9:00 pm from voting, advise voters to stay at the polling location and contact your hotline captain/command center, who should call the local county election official.

### **35. POLLING LOCATION: Where do I vote on Election Day?**

You can determine a voter's proper polling place by checking:

- In New York City: <http://vote.nyc.ny.us/html/voters/voters.shtml>
- For the rest of the state: the Get to the Polls tool at <https://voterlookup.elections.ny.gov/>

If a voter has moved recently and has not updated their voter registration, refer to [Questions #6 and 7](#).

**\*Note to hotline volunteer:** Polling places can change right before an election, particularly in New York City. The online polling place lookup tool is safest.

**36. IDENTIFICATION: What identification is required to vote on Election Day? Can I vote without providing identification?**

Most voters in New York are not required to provide any identification. But a voter must provide poll inspectors with her name and address of residence, and sign her name on the poll book (either electronically or on paper).

The only condition under which a voter will be required to provide ID while voting is if she is a first-time voter who registered by mail on or after January 1, 2003, and did not provide her last four digits of her social security number or her New York driver's license number on her voter registration form. In this case, a voter may provide any of the following IDs:

- A current driver's license or a DMV non-driver photo ID or other current and valid photo identification (e.g., student ID, passport), or
- A copy of a current utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the voter.

If the first-time voter does not produce the above forms of identification, the voter can vote by affidavit (provisional) ballot. However, you should encourage first-time voters who registered by mail to provide ID instead of casting an affidavit ballot. If an ID is not provided on Election Day, but is otherwise required before the election is certified, the affidavit ballot will not be counted. If the voter uses an affidavit ballot, she should be provided with a piece of paper containing information about whatever next steps she needs to take to have her affidavit ballot counted, and how to track whether it is counted. A voter who proclaims a change in name should be permitted to vote in the same manner as other voters, unless challenged on other grounds.

## **POLLING PLACE ISSUES**

**37. POLLING PLACE NOT OPEN: The polling place is not open. What do I do?**

**\*Note to hotline volunteer:** If you learn of a polling place not opening on time or is closed, notify your hotline captain immediately. You should check to be sure the polling location hasn't changed. The county board of elections websites identify polling places for the current election.

**38. LONG LINES: There are long lines at the polling place. What do I do? What if the polls are closing while I'm in line?**

See Question 34 for answer if voter is in line when polls are closing.

**\*Note to hotline volunteer:** If you learn of long lines, notify your hotline captain immediately.

**39. EQUIPMENT FAILURE: What should I do if there are equipment problems at my Election District?**

Voters should immediately notify the election officers if the voting equipment breaks down. If the problem cannot be fixed in a timely manner, a voter should ask if an emergency paper ballot is available. If voting equipment is not functional, contact your hotline captain or command center. They will then contact local elections officials to attempt to resolve the issue.

Emergency ballots shall be used if: there are equipment problems; official ballots are not delivered, or are lost, destroyed, or stolen; or if the supply of official ballots runs out. The inspectors of elections may (but are not required) to use emergency paper ballots during the first hour of a breakdown. If all machines are broken down for more than one hour, inspectors of elections are required to use emergency paper ballots. Emergency ballots are different from affidavit (provisional) ballots, so if the poll workers do not know the difference or are not offering emergency paper ballots, contact your Hotline Captain or Command Center.

**\*Note to hotline volunteer:** If you learn of equipment not working properly at a polling place, notify your hotline captain immediately.

**40. NO PPE/COVID: What if my polling place is not enforcing COVID-19 precautions or has run out of supplies?**

Polling places are required to maintain social distancing (6 feet) and require masks or cloth face coverings for those above 2 years of age, in the absence of medical necessity, as well as a plan to maintain sanitation. If a voter is medically unable to wear a mask, an isolated location for voting should be provided, with poll workers utilizing PPE. Frequent sanitization of surfaces and supplies is also recommended. Poll workers are trained in these requirements, and should enforce them. The County Boards of elections are recommended to provide PPE to voters as needed to ensure enforcement of mask wearing, but are not required to do so, voters should wear masks to vote to avoid any issues of lack of preparedness. If poll workers are not masking and socially distancing, this should be escalated and reported to the relevant BOE.

**41. EQUIPMENT ASSISTANCE: I don't know how to use the voting equipment. Can I get help?**

Many New York counties (including NYC) use paper ballots and optical scanners, while some counties, including Westchester County, may use the Dominion ImageCast Evolution voting machine. Upon request, voters shall be instructed in the machine's use.

**42. PHYSICAL DISABILITY: I have a physical disability and need assistance. Will my polling place be accessible?**

Federal and New York law require that each polling place be accessible to physically disabled voters.<sup>8</sup> Additionally, at least one machine in each election district must be accessible to persons with

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<sup>8</sup> See N.Y. Elec. Law § 4-104(1-a); Help America Vote Act § 301, 52 U.S.C. A. § 21081(a)(3) (West).

disabilities.<sup>9</sup> If a voter reports that a polling place is not accessible or that there is no machine for persons with disabilities, contact your hotline captain or command center. A physically disabled voter whose polling place is located in a building that is not accessible shall be entitled to vote in any other election district at a polling place located in a building which is accessible.<sup>10</sup>

**43. READING/LANGUAGE ASSISTANCE: I am blind, have a physical disability, or cannot read English and require assistance in order to vote. Can I get assistance at the polls?**

A voter requiring assistance at the polls for any of these reasons can take a person of her own choice (excluding an employer, an agent of an employer, or an officer or agent of her union), or two election officials of different political parties, into the voting booth.<sup>11</sup> If a poll worker refuses to allow a voter with a disability or limited English proficiency to bring a person of her choice into the voting booth, contact your hotline captain or command center.

Several counties/boroughs should provide ballots and other voting materials in Spanish, Chinese, Korean and/or Bengali, so take note if those are not offered or provided, but needed.<sup>12</sup> Many polling places in counties that are required to provide ballots in Spanish, Korean, Bengali and/or Chinese may have translators available to assist voters.

**44. CURBSIDE VOTING: When can I request curbside voting?**

While there isn't a curbside voting option, voters may vote absentee and drop their ballots in a contactless drop box at early voting and election day polling places in their county.

**45. CAMPAIGNING: What rules apply to people campaigning or "hanging around" my polling place? Can people approach me?**

While the polls are open no person shall do any electioneering within the polling place, or in any public street, within a one hundred foot radial measured from the entrances designated by the inspectors of election, to such polling place or within such distance in anyplace in a public manner; and no political banner, button, poster or placard shall be allowed in or upon the polling place or within such one hundred foot radial. NY Election Law 8-104. Within the polling place and the 100 foot radial of the polling place, you may not be approached or otherwise campaigned by or on behalf of any candidate. Election Protection monitors are not campaigners.

**46. CHALLENGES: Someone is formally challenging my vote. What do I do?**

A voter's qualification to vote may be challenged by an inspector or clerk, any duly appointed watcher, or by any registered voter properly in the polling place.<sup>13</sup>

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<sup>9</sup> N.Y. Elec. Law §§ 4-104(1-a), 7-202(2); *see also* Help America Vote Act § 301, 52 U.S.C. A. § 21081(a)(3) (West).

<sup>10</sup> N.Y. Elec. Law § 5-601(1).

<sup>11</sup> N.Y. Elec. Law § 8-306.

<sup>12</sup> <https://ag.ny.gov/civil-rights/voting-rights>

<sup>13</sup> N.Y. Elec. Law § 8-502.

If a voter's qualification to vote is challenged, *she may still vote*. An election officer should ask her to take the "preliminary oath," requiring her to fully and truthfully answer questions regarding her qualifications to vote.<sup>14</sup> At this point, she should be allowed to vote, unless the officer finds any of the voter's answers deficient.<sup>15</sup>

If the officer finds any of the voter's answers deficient, then the officer should have the voter take the "Qualification Oath." The Oath has the voter swear to her qualifications to vote.<sup>16</sup> ***At this point, she should be allowed to vote.***

Challenges on other grounds: if a voter is challenged based on felony status, bribery, or incompetency, she will be asked to take "The Conviction Oath."<sup>17</sup> Regardless of the grounds, if the voter is administered an oath, she may refuse to take it, but to vote, she must.<sup>18</sup> As a last resort, she may vote with an affidavit ballot.

**47. POLICE/MILITARY PRESENCE: There are police/members of the military at the polling place. Is this okay? What do I do?**

During primary, general, special and community school board elections, New York law requires the presence of at least one police officer at every polling location in New York City.<sup>19</sup>

**48. AFFIDAVIT BALLOT: I have been offered an affidavit ballot. What should I do?**

Inquire why the voter was offered an affidavit ballot. A voter should be offered an affidavit ballot only when:

- The voter's name does not appear on the voter rolls and her eligibility to vote cannot otherwise be established;
- The voter's eligibility to vote has been challenged by a poll watcher or another voter; or
- A first-time voter has not produced appropriate ID either when registering or at the polls.

Otherwise, the voter should be able to cast a regular ballot. An affidavit ballot should be a last resort. If used, a poll worker must then provide the voter with a phone number or website to check whether the affidavit ballot was counted.

**\*Note to hotline volunteer:** If you learn of police/members of the military at the polling place outside of New York City, notify your hotline captain immediately.

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<sup>14</sup> N.Y. Elec. Law § 8-504(1).

<sup>15</sup> N.Y. Elec. Law § 8-504(2).

<sup>16</sup> N.Y. Elec. Law § 8-504(3).

<sup>17</sup> N.Y. Elec. Law § 8-504(5).

<sup>18</sup> N.Y. Elec. Law § 8-504(7).

<sup>19</sup> N.Y. Elec. Law § 8-104 (McKinney).

## **RANKED CHOICE VOTING (RCV) IN NEW YORK CITY - Ranked Choice Voting in New York City** – For the first time, voters in New York City’s primary election for municipal offices have the option to rank their preferred candidates from 1st to 5<sup>th</sup> choice on the ballot.

**49. NYC RCV BALLOT:** I received a two page ballot, but only the races on one page allow me to rank my choices. Is this correct?

Yes, that is correct. Ranked Choice Voting only applies to municipal offices (Mayor, Comptroller, Public Advocate, Borough President, and City Council Member) when there are more than TWO (2) candidates on the primary ballot. It does not apply to state offices, like District Attorney, Judicial Convention Delegate or Civil or Supreme Court Judge, no matter how many or few candidates are running for those offices. The municipal office races appear on one page of the ballot, most likely double-sided, and the state election contests will appear on the other page.

**50. NYC RCV CHOICES:** How many candidates should I rank?

It is the voter’s option whether to rank and how many candidates to rank, up to a maximum of five candidates. The ballot will count for that office so long as the voter chooses at least 1 candidate and no more than 5. Voters should be urged to rank candidates to provide their vote with the most power.

**51. NYC RCV NUMBER OF CANDIDATES:** What happens if I rank 6 or more candidates?  
(Alternatively: What if I want to vote for more than 1 candidate as my first or 2<sup>nd</sup> or third choice?)

The voter’s vote may not count for that office. Rankings are chosen by filling in the oval in each of the 5 columns appearing after a candidate’s name. Voters must not fill in more than 1 oval per column. If a voter is ranking 6 or more candidates, they are choosing more than 1 candidate for the same rank (i.e., Candidate A & Candidate C for 1<sup>st</sup> choice or Candidates B & D for 3<sup>rd</sup> choice , etc). Choosing two or more candidates for the same ranking (i.e., filling in more than one (1) oval per column) may invalidate all of the voter’s choices for that race. If the voter marks more than one candidate as their 1<sup>st</sup> choice, none of their choices for that office will be counted. If the voter fills in more than one candidate for 2<sup>nd</sup>,3<sup>rd</sup>,4<sup>th</sup> or 5<sup>th</sup> choices, their 1<sup>st</sup> choice will be counted but if their first choice candidate is eliminated in the Ranked Choice rounds, any choices made for the ranking with more than one candidate and all following rankings are invalid and the ballot will be exhausted and no further choices for that office will be counted.

**52. NYC RCV PREFERRED CANDIDATE:** I have one favorite candidate. Can I vote for them more than once?

A ballot will still be valid and the voter’s vote for that office will be counted even if the voter marks 1 candidate for more than 1 rank (i.e. fills in more than one oval per row). However, voters are encouraged to NOT fill in more than one oval per row. The voter should be informed that ranking candidates in addition to her favorite candidate neither hurts nor improves her favorite candidate’s chances of winning. Ranking more than 1 candidate gives her vote more power, as her back-up ranked

candidates are not counted unless her first choice is eliminated in the Ranked Choice rounds. If her first choice is eliminated and she has not ranked other candidates, then her ballot is exhausted because there are no further choices to which her vote can be transferred.

**53. RANKED CHOICE VOTING:** I don't like this new way of voting, Ranked Choice Voting. Do I have to use it?

Voters can vote for only 1 candidate as they always have or they can rank as many as they want up to 5. Ranked Choice Voting gives the voter more choices, including the choice whether or not to use it. It is not mandatory.

**54. SPOILED ABSENTEE OR REGULAR RCV BALLOT:** I've mismarked my Ranked Choice Voting Absentee ballot. What do I do?

See Question #27. The same rules apply to spoiled Ranked Choice Voting ballots as any other spoiled ballot.

## QUESTIONS

**55. Who should I contact if I have questions about any of the above?**

The county boards of elections can be contacted to provide assistance on many questions. Their websites include phone contacts for specific types of questions, as well as FAQs and other information about polling places, registration, early and absentee voting and other issues. The New York State board of elections website also includes a lot of useful information, as well as links to the county sites.

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