

**Executive**PART 6217  
STATEWIDE VOTER REGISTRATION LIST

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## Section 6217.1 Purpose.

1. Pursuant to New York Election Law section 5-614, the State Board of Elections (State Board) hereby adopts the following regulations in relation to the operation of the statewide voter registration list to be known as NYSVoter.

2. NYSVoter shall serve as the single, interactive, statewide voter registration list for storing and managing the official list of registered voters throughout the State. It shall be maintained and administered by the State Board. NYSVoter shall maintain one record for each registered voter including the statewide unique identifier, current voting eligibility status of the voter and voter history, including but not limited to, voting history, previous name(s) and addresses. A voter's Driver's License or Non-Driver's Identification Number or any portion of the Social Security Number shall not be released for public inspection. The information contained in the statewide voter registration list shall not be used for non-election purposes.

3. The County Boards of Elections (County Board) have sole responsibility for adding, changing, canceling or removing voter registration records from their county's portion of the statewide voter registration list. The State Board shall make accessible to each local board of elections the statewide voter registration list. Such list shall be maintained in a computerized form which permits different user interfaces which meet the defined interface specification.

4. NYSVoter shall maintain a transaction history of changes made to each voter record, including but not limited to: each change made and reasons therefor; the date and time stamp to record the date of change; the ID of the county board operator and system that updated the record; and a description of the key elements that were changed.

5. NYSVoter shall operate on a twenty-four hour a day, seven days a week basis (e.g. the system must be accessible during election periods) except for any required maintenance periods, that shall be scheduled to minimize impact on the State Board and county boards' election administration and voter registration functions. In the event that a transaction is not processed the County Board shall be notified with the reason.

6. Effective date. Effective immediately except that paragraph 4 shall become effective on July 1, 2007.

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6217.2 Initial creation of the statewide voter registration list.

1. The official statewide voter registration list shall be created by combining the existing voter registration lists maintained by each local board of elections into a single integrated list.

2. To the maximum extent practicable, each local board of elections shall continue to use its existing computer infrastructure, computer software and database applications to access data from and transmit data to the statewide voter registration list.

3. The information required to be sent to the State Board to appear on the list shall be determined by the State Board Commissioners.

4. To create such list, each local board of elections shall transmit to the State Board a certified copy of the voter registration records of such board in an electronic format prescribed by the State Board and continuing as directed by the State Board.

5. Once all data from the counties has been received, the State Board shall run a check for duplicate voter registration records within the integrated statewide voter registration list as provided for in these regulations.

6. After all duplicate registration issues have been resolved, the State Board shall assign a unique identifier to every voter on NYSVoter.

7. The County Board shall append the same unique identifier to any corresponding county record.

8. Effective date. Effective immediately except that paragraph 7 shall become effective on July 1, 2007.

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6217.3 Review of county voter registration systems.

1. Prior to sending data to the statewide list, any proposed county voter registration system must be approved by the State Board to ensure it meets the technical specifications promulgated by the State Board to interface with the official statewide voter registration list. For proposed systems, this approval must be obtained prior to the purchase or installation of the system.

2. A county voter registration system must have the capability to:

a. Store information required in New York State Election Law and these regulations;

b. Generate a list of registered voters in a county and their registration statuses;

c. Track information specific to single elections, including the issuance and return of absentee ballots; and

d. Store and provide images of signatures of registered voters.

3. A county's voter registration system must conform to all of the requirements of state law and of these regulations, and if it does not, the State Board must notify the County Board of the nature of the nonconformity. The County Board must correct the nonconforming aspects of the county voter registration system and provide to the State Board such evidence of the change of changes in the system as that office may deem appropriate.

4. NYSVoter shall ensure all data complies with the data standards for the database. County systems must be remediated so that all required data is sent to and received from the centralized database.

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## 6217.4 Voter registration information entry.

1. Using the county's voter registration system as their direct interface to NYSVoter, County election officials shall enter all voter registration information into the list on an expedited basis at the time the information is provided to the county official. Each County Board must enter and maintain voter registration records in a county voter registration system. County Boards have the responsibility for adding, changing, canceling or removing voter registration records through an interface NYSVoter. NYSVoter shall normalize to standards and store voter registrant information provided on the registration application.

2. County voter registration systems shall synchronize with NYSVoter at least every 24 hours.

3. County voter registration systems shall maintain near real-time synchronization.

4. Each NYSVoter record must contain at least the following information:

a. Full Name including, last name, first name, middle initial and name suffix.

b. Residence Address including house number or apartment number, half code, street name and direction, city and five-digit zip code and zip code plus 4, or an indication of non-standard Residence Address.

c. Mailing Address (if different from Residence Address) including house, apartment number, or post office box number, street name and direction, city, state and five-digit zip code and zip code plus 4 and country.

d. United States Postal Service Coding Accuracy Support Service address (if available). This is the process of correcting mailing address lists to conform to United States Postal Service standards. This improves the accuracy of the postal carrier route, five-digit zip code and zip code plus 4 that appear on mail pieces.

e. Birth Date.

f. Telephone Number (if indicated).

g. Gender (if indicated).

h. New York State Department of Motor Vehicles driver's license number or non-driver's identification number or the last 4 digits of Social Security Number or an indication that the voter has neither number.

i. Political Party Enrollment or Affiliation (or lack thereof).

j. County Voter Registration Number.

k. County Code.

l. Data Entry Date - the date that the voter registration data was entered into the system.

m. Application Date - the date on which the voter registration application was marked as being received and is the date of voting eligibility of the registrant.

n. Application Source Code - NYSVoter shall collect and track the source of voter registration applications and summarize and report on registration activity in accordance with National Voter Registration Act reporting requirements.

o. Identification Required Flag.

p. Identification Verification Requirement Met Flag.

q. Voter Status Codes.

r. Official district information including home political subdivision, election district, town, town ward, Congressional, Senate and Assembly districts.

s. Voting History - including, whether a voter voted in an election (State, federal, and local elections), last year voted, last county voted in.

t. Voter Transaction History - including, address changes, and name changes.

u. Signature of the voter - NYSVoter shall capture and store a graphic image of the signature on a registration application. NYSVoter shall receive and store an image of the signature captured and provided by the county voter registration system.

i. Ease of Signature Comparison - the signatures shall be stored in a way to enhance speed of display.

ii. Restrictions of Image Editing - NYSVoter shall not allow the authorized user to modify the basic characteristics, structures, and recognizable format of the registrant's signature.

5. Effective date. Effective immediately except that paragraph 2 shall sunset and be deemed repealed on June 30, 2007; paragraph 3 and subdivisions (d) and (u) of paragraph 4 shall become effective on July 1, 2007.

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6217.5 Voter registration processing.

1. In order to vote in New York State, a person must possess the constitutional and statutory qualifications of an elector and must be registered to vote, and if required, be enrolled in a political party.

a. Qualifications to register to vote:

i. United States citizen;

ii. Eighteen years of age or older on election day or will be at least eighteen years old not later than December thirty-first of the calendar year in which he or she registers; and

iii. Resident in New York State and of the county, city or village for a minimum of thirty days next preceding such election.

b. Disqualifications from voter registration:

i. Death;

ii. Sentenced to prison based upon a felony conviction;

iii. Moves out of their county of residence; or

iv. Adjudged mentally incompetent by the order of a court.

2. When a voter registration application is received, the County Board is responsible for processing each application and determining whether the application is complete and whether the applicant meets constitutional and statutory requirements. All voter registration applications shall be date and time stamped to establish eligibility and to establish the time lapse of not more than 21 days maximum for a completely processed voter registration. Procedures for opening mail, time stamping documents or pre-screening, to the extent that they are not prescribed by these regulations, are left to the county boards to establish.

3. All voter registration activity must be done by a bipartisan team of workers, to assure fairness and uniformity in the process.

a. Bipartisan processing:

i. Staff members of one major political party reviews and enters the information from either an individual application or a batch of applications, electronically signing their work.

ii. The work on that application or batch of applications is proofread and reviewed by a staff member of the opposite major political party, who also electronically signs their work.

iii. Any edits or changes to the information initially entered must be made and signed by the two staff persons of opposite parties.

iv. Once signed by two staff persons of opposite parties, the information is sent from the county registration system to NYSVoter for inclusion on the statewide list of registered voters, and verification of each voter's identity.

4. Once an application for registration has been entered it is processed in one of three ways:

a. Registered - The voter's registration record has been updated with all following required information:

i. The applicant's name;

ii. The applicant's complete residence address;

iii. The applicant's date of birth such that the applicant is or will be eighteen years of age by election day or not later than December thirty-first of the calendar year in which he or she registers;

iv. A mark in the checkbox affirming the applicant is a citizen of the United States;

v. Verification Information:

(1) The applicant's current and valid New York driver's license number or, the Non-driver's identification number; or

(2) If the applicant has not been issued a current and valid New York driver's license or Non-driver's identification card, the last four digits of the applicant's social security number; or

(3) In the case where an applicant has not been issued a current and valid New York driver's license or Non-driver's identification card or social security number, the applicant shall affirm this fact in the manner prescribed in the uniform statewide voter registration application; and

vi. Original signature of the applicant swearing or affirming that the information contained in the registration application is true.

b. Incomplete - A voter registration application is incomplete if it does not contain the required information in subdivision (a) above; and incomplete voter records are not uploaded to the NYSVoter database, but may be maintained within the county Election Management System.

c. Denied- Once an application is denied, the voter is provided a notification; and denied voter records are not uploaded to the NYSVoter database, but may be maintained within the county Election Management System.

d. If any of the required information is missing on the voter registration application, the county board shall take immediate steps to obtain the missing information. In any such case the county board shall notify the applicant of the reasons that the registration application is incomplete and the period of time in which the application information must be provided in order to be eligible to vote in the next election.

e. When the missing information is necessary to verify the applicant's identity pursuant to Election Law section 5-210, the application shall be processed, the applicant registered, and a notice of approval which includes an indication that the county board has not been able to verify the identity of the applicant and a request for more information so that such verification may be completed shall be sent to the registrant pursuant to statute and these regulations.

5. Following entry into the county voter registration system, all information in the application for voter registration must be transferred electronically to NYSVoter which will then electronically notify the county voter registration system with a response that includes confirmation of the transaction, an assigned unique identifier and registration status in NYSVoter. NYSVoter shall assign a unique identifier to every voter that will remain with the voter for their voting life.

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## 6217.6 Voter identification verification.

1. The County Board shall promptly, and in any event, not later than twenty-one days after receipt by it of the voter registration application, verify the identity of the applicant who has not previously had his or her identification verified. The voter's registration and enrollment shall be complete upon receipt of the application by the appropriate County Board. The failure of a County Board to verify an applicant's identity shall not be the basis for the rejection of a voter's application, provided, however, that such verification failure shall be the basis for requiring County Board to take the additional verification steps provided by the Election Law section 5-210 and these regulations.

2. In order to do so, the County Board shall utilize the information provided on the application and shall attempt to verify such information through NYSVoter with the information provided by the New York State Department of Motor Vehicles, or the United States Social Security Administration and any other lawfully available information source. The County Board shall do so by transmitting such information to NYSVoter. The County Board shall deem as verified for the purposes of this Section of these rules an application received from the Department of Motor Vehicles processed simultaneously and integrated with an application for a motor vehicle driver's license, a driver's license renewal or an identification card if such card is issued by the Department of Motor Vehicles in its normal course of business, pursuant to Section 5-212 of the Election Law.

3. NYSVoter shall compare the New York State Department of Motor Vehicles driver license or non-driver number, name, date of birth and gender of the voter with the New York State Department of Motor Vehicles records for verification of the voter's identification as required by statute. The New York State Department of Motor Vehicles shall report back to NYSVoter. Based upon this report, the County Board shall determine if they have sufficient information to verify the voter's identity, or whether additional information is required to verify the voter's identity.

4. If necessary to verify a voter's identity, NYSVoter shall compare the last 4 digits of the voter's Social Security Number, name and date of birth, through the New York State Department of Motor Vehicles with the United States Social Security Administration records for verification of the voter's identification as required by statute. The United States Social Security Administration through the New York State Department of Motor Vehicles shall report back to NYSVoter. Based upon this report, the County Board shall determine if they have sufficient information to verify the voter's identity, or whether additional information is required to verify the voter's identity.

5. If the County Board is unable to verify the identity of the applicant within twenty-one days of the receipt of the application, it shall immediately take steps to confirm that the information provided by the applicant was accurately utilized by such County Board, was accurately verified with other information sources and that no data entry error, or other similar type of error, occurred.

6. Following completion of the preceding steps, the County Board shall mail:

- a. a notice of its approval, or
- b. a notice of its approval which includes an indication that such board has not yet been able to verify the identity of the applicant and a request for more information so that such verification may be completed, or

c. a notice of its rejection of the application to the applicant in a form approved by the State Board.

7. The request for more information shall inform the voter that: "THE FAILURE TO CONTACT THE BOARD OF ELECTIONS AND CORRECT ANY INACCURACIES IN THE APPLICATION OR PROVIDE REQUESTED ADDITIONAL INFORMATION MAY RESULT IN A REQUEST FOR IDENTIFICATION AT THE POLLS IN ORDER TO CAST A VOTE ON A VOTING MACHINE." If such notice is returned undelivered without a new address, the board shall forthwith send such applicant a confirmation notice pursuant to the provisions of section 5-712 of the Election Law and place such applicant in inactive status.

8. Notices of approval, notices of approval with requests for more information or notices of rejection shall be sent by nonforwardable first class or return postage guaranteed mail on which is endorsed "ADDRESS CORRECTION REQUESTED" and which contains a request that any such mail received for persons not residing at the address be dropped back in the mail.

9. If the board of elections has been unable to verify the identity of the applicant within forty-five days of the application, the board shall mail a second request for more information to the applicant. This notice shall inform the voter that "THE FAILURE TO CONTACT THE BOARD OF ELECTIONS AND CORRECT ANY INACCURACIES IN THE APPLICATION OR PROVIDE REQUESTED ADDITIONAL INFORMATION MAY RESULT IN A REQUEST FOR IDENTIFICATION AT THE POLLS IN ORDER TO CAST A VOTE ON A VOTING MACHINE."

10. If the County Board is unable to verify the identity of the applicant it shall so indicate with a notation next to the voter's name on the registration list. Such voter may provide information to assist the County Board to verify their identity at any time and such notation shall be removed by the County Board upon such verification.

11. If a voter's identity is not verified before election day, the voter will be asked to provide identification before they vote for the first time. Forms of identification include a valid photo identification, a current utility bill, bank statement, government check, or some other form of government document that shows the voter's name and address. If the voter provides such identification or the voter cast an affidavit ballot pursuant to Election Law section 8-302 and the county board verifies the identity of such affidavit voter the County Board shall indicate to NYSVoter that the voter's identity has been verified.

12. The notices of approval and notices of approval with requests for more information shall also advise the registrant:

- a. of the date when his registration and enrollment is effective,
- b. of the date and the hours of the next regularly scheduled primary or general election in which he will be eligible to vote,
- c. of the location of the polling place of the election district in which he is or will be a qualified voter, whether such polling place is accessible to physically handicapped voters,
- d. an indication that physically handicapped voters or voters who are ill or voters who will be out of the city or county on the day of the primary or general election, may obtain an absentee ballot and the phone number to call for absentee ballot applications,
- e. the phone numbers to call for location of polling places, to obtain registration forms and the phone number to call to indicate that the voter is willing to serve on election day as an inspector, poll clerk or interpreter.

13. The notice of approval, notice of approval with request for more information or notice of rejection shall also advise the applicant to notify the board of elections if there is any inaccuracy. The form of such mail notification shall be prescribed by the State Board and shall contain such other information and instructions as it may reasonably

require to carry out the purposes of the Election Law and these regu-

lations.

14. The notice of rejection shall also advise the applicant with instructions on how to complete the application and the period of time which the application must be provided in order to be eligible to vote in the next election. The form of such mail notification shall be prescribed by the State Board and shall contain such other information and instructions as it may reasonably require to carry out the purposes of the Election Law and these regulations.

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6217.7 Processing voters who move between counties.

1. NYSVoter shall identify as voters that have moved between counties those voters who have stated on their application that the last year they voted was in a county other than where they are applying to register to vote and the voter provided the previous address at which they were registered.

2. NYSVoter shall notify affected counties of an apparent duplicate voter record, and thus a possible move between counties based upon a match of an applicant's name, date of birth.

3. NYSVoter shall provide the capability for the county to verify that a voter has moved between counties based upon a match of the applicant's signature and either the New York State Department of Motor Vehicles driver license or non-driver number or last 4 digits of the voter's Social Security number or matching of the previous address of the voter.

4. NYSVoter shall notify the "from county" if a voter has moved their voter registration between the counties. After determining that the voter has moved, the "to county" will activate a new record and substitute the unique identifier with the unique identifier of the "from county".

5. NYSVoter shall notify the "from county" if a voter has moved their voter registration between counties. In such cases, the "from county," upon determining that such records are for the same voter, shall cancel the voter record in their county and provide the required cancellation notice to the voter pursuant to Election Law section 5-402. In such cases where the "from county" is unable to determine that the proposed duplicate records are from the same voter, after providing the required notice to the voter, the "from county" will inactivate their voter record.

6. NYSVoter shall facilitate the move process if the "to county" has been informed of the registrant's "from county" on the voter registration form or from the registrant.

7. Effective date. Effective immediately except that paragraphs 1, 3, 4 and 6 shall become effective on July 1, 2007.

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6217.8 Processing duplicate voters.

1. NYSVoter shall identify possible duplicate voter registrations as needed by the County Board based upon a match of an applicant's first name, last name, and date of birth.

2. NYSVoter shall identify possible duplicate voter registrations in near real time at or near the time of data entry for all registration application transactions based upon a match of an applicant's first three letters of the first name and the first five letters of the last name, date of birth, and, if available, the unique identification number, or the New York State Department of Motor Vehicles driver license or non-driver number or last 4 digits of the voter's Social Security number. An image of the potential duplicate voter's signature shall be made available to the County Boards for comparison.

3. NYSVoter shall notify the counties with matching records if voters are potentially duplicate registrations between. The notification shall include pertinent information regarding the voter.

4. If the information received by the board of elections through NYSVoter indicates that a voter is currently registered to vote more than once, the local board of elections containing the registration record of the earlier dated registration record, the "from county", shall send such voter the confirmation notice prescribed by section 5-712 of the Election Law and place such voter on inactive status pursuant to section 5-213 of the Election Law.

5. After determining that the voter is a duplicate, the "to county" will activate a new record.

6. After determining that the voter is a duplicate, the "to county" will substitute the unique identifier with the unique identifier from the "from county".

7. Effective date. Effective immediately except that paragraphs 2 and 6 shall become effective on July 1, 2007.

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6217.9 Voter registration status.

1. Each voter maintained in NYSVoter will be assigned a Voter Registration Status by the County Board which will determine the voter's eligibility to vote. The Voter Registration Status will be updated after an application is processed and an application disposition has been assigned. The discreet voter registration statuses and their definitions to be stored by NYSVoter are described below.

a. Active - The voter is properly registered and is eligible to vote in elections. There are several categories of Active voters, as specified below:

- i. Active
- ii. Active Military
- iii. Active UOCAVA
- iv. Active Special Presidential
- v. Active Special Federal

b. Inactive - The voter is still eligible to vote in elections, but is not included in the poll book. NYSVoter shall allow a county election official to designate a voter as inactive, noting the reason for the designation, such as "election material mailed to registrant returned as undeliverable" or "moved with an out of county forwarding address", "affidavit ballots".

c. Purged - The voter is no longer eligible to vote in an election, and will not appear in the list of registered voters. This list is to be utilized to prevent deceased voters from overwhelming valid voters when doing voter searches and to allow for voters who later re-registered to vote to resurrect and utilize their unique identifier.

d. Preregistered - The voter has met all the requirements to be an Active voter but has not yet attained the age of 18. Pre-registered voters that will be 18 years old on or before the election date are included in the poll book and are eligible to vote in the election. The voter must be 17 years old to pre-register.

e. NYSVoter stores Reason Codes for Inactive and Purged voters indicating or explaining the reason for a specific voter's status as follows:

- i. Inactive Status - Mail Check, NCOA, Returned Mail
- ii. Purged Status - Death, Voter Request, Felon, ADF (Adjudicated) Incompetent, NVRA, Moved out of County.

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6217.10 Voter registration list changes and list maintenance.

1. List maintenance activities and schedules:

a. The State Board, in consultation with local boards of elections, shall establish minimum standards for statewide voter registration list maintenance activities and schedules for such activities.

b. The list maintenance performed shall be conducted in a manner consistent with the Election Law and these regulations to ensure that:

i. the name of each registered voter appears in the statewide voter registration list;

ii. only names of persons who are not registered or who are not eligible to vote are removed from such list; and

iii. the prior registrations of duplicate names are removed from such list.

2. Notices of cancellation:

a. Where a County Board determines that a voter's registration shall be cancelled, the record shall be flagged with a status of Purged and the appropriate Purged Reason Code and a cancellation notice as provided for in Election Law section 5-402, shall be sent to the voter, except that no cancellation notice shall be sent to a person whose voter registration record has been flagged as deceased or who has made a personal request for such cancellation.

b. The County Board shall electronically file with the State Board a cancellation and removal report indicating all cancellations and removal actions taken by the local board of elections from the list of eligible voters. Such report shall be filed in a format and at such intervals as directed by the State Board.

3. Address, name and enrollment changes within a county:

a. When a review and query of a voter registration application indicates that the voter is already registered to vote within the county, and is initiating a change to their record, such change shall be processed, and the record updated and the appropriate notice shall be sent to the voter:

i. For an address change-a transfer notice as provided for in Election Law section 5-208(1)(5).

ii. For a name change, or the addition or deletion of a post office box-an approval notice as provided for in Election Law section 5-210(9).

iii. For a change of enrollment-a letter from the County Board confirming receipt of the same and stating the effective date of the enrollment change.

b. Before an update or change can be applied to an existing voter registration record, a County Board shall perform a search of existing voters to ensure that the application is not a new registration and is an update or change to an existing record within the county.

4. Notifications of a death, felony conviction or adjudication of mental incompetence:

a. NYSVoter shall receive death notifications including the voter's first name, middle name, last name, gender, date of death, date of birth, street address, city, and zip code, from New York State Department of Health and New York City Department of Health and Mental Health. NYSVoter may be matched against the United States Social Security Administration's Master Death Index. Notification shall be sent to the appropriate county for follow-up and determination.

b. NYSVoter shall receive notices of felons sentenced to a term of imprisonment and of persons adjudicated mentally incompetent including the voter's last name, first name, middle name, gender, date of birth, street address, city, state, zip code, county, and a code indicating whether the person is a convicted felon sentenced to a term of imprison-

ment or a person adjudicated mentally incompetent from the New York

State Office of Court Administration or any court having jurisdiction over such matters. Notifications shall be sent to the appropriate county for follow-up and determination.

c. Each local board of elections shall, within twenty-five days after receiving such list of decedents or list of persons subject to forfeiture of the right to vote pursuant to section 5-106 of the Election Law, use such lists to identify and remove decedents and persons subject to forfeiture of the right to vote pursuant to section 5-106 of this article from the list of eligible voters.

5. National change of address:

a. National change of address processing shall be conducted with a United States Postal Service approved vendor at least annually. The processing shall at a minimum identify voter address change information, whether permanent or temporary; provide data which can be used to standardize addresses and provide enhanced zip code extensions, to assist in more accurate delivery of voter mail; and notification of deceased status. Notifications shall be sent to the appropriate county for follow-up and determination.

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6217.11 Voter registration list security and user administration.

1. Statewide:

a. NYSVoter relies on shared security with both the county board and State Board having responsibilities over specific system resources and administration. The State Board will be responsible for providing tools necessary for county boards to authorize local users to NYSVoter functions, verify that local users identified in transaction headers are authorized for that purpose, and for ensuring that a message was not altered in transmission.

2. County Board:

a. Security over county voter registration systems and networks, administration of local users, authentication and authorization of county board personnel will be the responsibility of each county board. Each county board will configure the local county user to have access pursuant to NYSVoter. Since access to NYSVoter will be through the county voter registration system, administration and authorization to the county voter registration system must include the assignment of a user ID and password for the county voter registration system that has a role or user-based security management. County boards will have the rights to create and modify county users as well as delete users when appropriate in their own county.

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6217.12 Reports and information queries.

1. NYSVoter shall provide to county board operators the ability to:
  - a. query all records in the database, regardless of county;
  - b. conduct user-defined searches of voter records;
  - c. generate pre-defined and ad-hoc queries and reports in formats as needed;
  - d. filter reports based on key data fields contained in the output (e.g. date, county);
  - e. provide a third party reporting tool (e.g. query by example) for ad hoc reporting requests; and
  - f. sort voter registration data by county, election district, jurisdiction, birth date, and other information (e.g. last name, first name, voter registration number, unique identification number, address order).