



MEMORANDUM OF SUPPORT
S6173B (Skoufis)/A7052 (Sillitti)
February 7, 2024

Title of Bill

An act to amend the election law and the vehicle and traffic law, in relation to joining multistate voter list maintenance organizations.

Summary of Provisions

S5173/A7052 would amend article five of the Election Law by adding a new title that details the authority, requirements, and process of joining multistate voter list maintenance organizations. Section 2 of the bill allows the State Board of Elections (SBOE) to join such organizations, including the Electronic Registration Information Center (ERIC), and pay for their membership. It designates the SBOE co-executive directors as representatives to voter list maintenance organizations, and gives them the authority to share the state's voter registration and motor vehicle information with the organization. Section 3 of the bill provides the legal authority to share motor vehicle information. Section 4 requires the SBOE to "make good faith efforts" to join a multistate voter list maintenance organization before July 31, 2025. The bill begins with a statement of legislative intent about the importance of maintaining accurate voter rolls.

Statement of Support

Citizens Union supports S5173/A7052, which would require New York to join the Electronic Registration Information Center (ERIC) or another multistate voter list maintenance organization.

Although New York runs one unified statewide voter registration list, and the State Board of Elections provides statewide guidance on conducting list maintenance, local county boards of elections have sole responsibility for adding, changing, or removing voters from registration records. The decentralized nature of election administration in New York, coupled with our state's highly mobile population, have made keeping track of voters' movement particularly challenging.

When voter rolls are not properly maintained, voters end up bearing the costs. Periodical and inadequate efforts by local election boards to "clean up" voter rolls have led to upsetting results in the past. In 2016, over 200,000 voters were illegally purged from voter rolls in an attempt to clean up voter

registration lists in New York City¹. Similar problems were discovered during the 2018 primary election.² In 2013, a New York City Department of Investigation report found deficiencies in voter roll maintenance, affecting voters on election day.³

In order to ensure the accuracy of voter lists while also protecting the rights of eligible voters, proper list maintenance should be done regularly using up-to-date databases and state-of-the-art technology.

Since its establishment in 2012, ERIC has been proven highly effective in assisting state election officials to maintain their own voter rolls. Using powerful matching software and databases from the Social Security Administration, U.S. Postal Service, and motor vehicle departments, ERIC is able to provide member states with reports on voters who appear to have moved within the state, voters who appear to match a deceased individual, and potential duplicate registrations in the same state. It would be costly and technically difficult for the New York State Board of Election to provide the same quality of data analysis in-house.

ERIC also serves member states by identifying voters who appear to have moved from one state to another. It can only operate effectively if states share their voter registration and motor vehicle data.

Importantly, the organization has no control over the voter rolls of its member states. Any removal, addition, or change to voter registration data would remain under the full control and discretion of New York State election officials. The organization is nonpartisan and is comprised of state election officials from “red,” “blue,” and “purple” states.⁴

S5173/A7052 would allow the SBOE to share voter registration and DMV data with a multistate voter list maintenance organization and to “make good faith efforts” to join such an organization before July 31, 2025. Once New York joins as a member, it would be able to take in information from the other 24 ERIC member states and Washington, D.C.

Passing this bill would substantially improve the quality and accuracy of New York’s voter registration list. It would also help prevent incidents of voters being wrongly removed from the rolls.

Given the fragile state of U.S. democracy and the spread of election misinformation, Citizens Union believes it is more important than ever to ensure voter data is properly maintained and accurate.

¹ Gothamist, NYC Board Of Elections Admits Wrongdoing In 2016 Election Purge, Agrees To Consent Decree <https://gothamist.com/news/nyc-board-of-elections-admits-wrongdoing-in-2016-election-purge-agrees-to-consent-decree>

² Gothamist, More NYC Primary Voters Find Their Names Missing From Voter Rolls <https://gothamist.com/news/more-nyc-primary-voters-find-their-names-missing-from-voter-rolls>

³ New York City Department of Investigation Report on the New York City Board of Elections’ Employment Practices, Operations, and Election Administration, December 2013 https://www.nyc.gov/assets/doi/reports/pdf/2013/2013-12-30-BOE_Unit_Report.pdf

⁴ <https://ericstates.org/who-we-are/>