



NEW YORK STATE SENATOR

George M. Borrello

Legislation Sponsored by Senator George Borrello to Prohibit Ballot Harvesting Advances Through Senate Elections Committee

GEORGE M. BORRELLO May 15, 2024

| ISSUE: **ELECTIONS, BALLOT HARVESTING, BOARDS OF ELECTIONS**



ALBANY, NY – A measure sponsored by Senator George Borrello that would prohibit the fraud-prone practice of ballot harvesting advanced through the Senate Elections Committee today, marking a first for the election integrity bill.

“Ballot harvesting is a practice that is incredibly vulnerable to abuse and that has been implicated in several known instances of election fraud. New York is one of only a handful of

states that has no legal restrictions on this practice, which should concern everyone who feels election integrity is important,” said Senator Borrello.

Ballot harvesting is the practice of permitting any individual to collect and return an unlimited number of mail or absentee ballots without oversight or a documented chain of custody.

Senator Borrello explained that his legislation, [S. 1116](#), would make the practice of ballot harvesting ‘unlawful’ and a class D felony except in cases where the absentee ballot was submitted on behalf of the voter by a family member, a caregiver with notarized consent, or an elections official, postal employee or delivery courier engaged in his or her legal duties.

The bill also specifies that applications for absentee ballots must be submitted by a family member or a person authorized through written, notarized consent to submit the application on the voter’s behalf.

Senator Borrello noted that a few of the more recent scandals involving ballot harvesting included:

- **November 2022** - A Staten Island grand jury identified numerous instances of ballot harvesting fraud in a race for City Council, including a ballot submitted on behalf of a deceased person and signature fraud involving dozens of other absentee ballots. The unprecedented 38-page grand jury report released by Staten Island District Attorney Michael McMahon called for changes in state election law including requiring official government-issued ID to vote.

- **December 2023** – The Queens District Attorney brought charges against an individual for submitting falsified absentee ballot applications for the Democratic primary election in August 2022. The defendant allegedly visited the Queens County Board of Elections and dropped off 118 absentee ballot applications and picked up the ballots the next day. An investigation later found that the voters listed on the ballot applications had not submitted the forms or authorized the suspect to pick up ballots for them.
- **January 2023** – A former Rensselaer County election commissioner pleaded guilty to using voters' personal information to illegally obtain absentee ballots in 2021.

“We’ve made conditions in New York State particularly ripe for election fraud with the recently enacted legislation that allows early voting by mail. This is going to expand the ballot harvesting opportunities in New York’s elections and along with it, the opportunities for bad actors to commit fraud. We can help safeguard this process by enacting my legislation which would end the ballot harvesting free-for-all,” said Sen. Borrello.

“The cornerstone of our representative democracy is that voters have confidence that our elections are fair and secure. Ballot harvesting dangerously undermines that confidence, which is why I will keep advocating for enactment of this measure,” Sen. Borrello said.