



**MEMORANDUM OF SUPPORT  
New York State Public Health Association**

**A.3291 (Dinowitz) / S.7046 (Fernandez)**

**These bills would make permanent absentee voting due to the risk of contracting or spreading a disease rather than subjecting it to annual renewal by the legislature.**

The New York State Public Health Association (NYSPHA), which represents public health professionals and students in New York State, strongly supports passage of these bills that would make permit absentee voting for persons at risk of contracting or spreading a diseases. When COVID first appeared in New York in 2020, there were mere weeks before the presidential primaries. Elected officials acted quickly to protect New Yorkers and ensure no voter had to choose between their right to vote and their health. First by Executive Order, and then by legislation, the reasons for requesting an absentee ballot under the category of “illness” were expanded to include a new definition of “temporary illness” to accommodate the thousands of New Yorkers who were not comfortable voting in-person.

With the expanded definition of illness, which has been renewed every year since by the State Legislature, many New Yorkers chose to protect their health by voting absentee. New York must also go a step further and permanently expand the definition of “temporary illness” so as to avoid the confusion and risk to health that an annual legislative renewal process poses. To avoid voter confusion and protect public health, it is vital the State Legislature pass A.3291 (Dinowitz) / S.7046 (Fernandez) immediately as the provisions have lapsed.

Even as COVID public health measures lapse, other infectious threats have appeared, so many New Yorkers remain high risk and face additional challenges navigating the new normal. Seniors and immunocompromised voters will continue to need additional protections in public settings and that includes limiting their exposure to the general public at poll sites. The New York Times cites expert estimates<sup>1</sup> that approximately 3% of the U.S. population – millions of individuals – is immunocompromised. A 2018 study<sup>2</sup> estimated that 4.54% of New York City’s

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<sup>1</sup> Amanda Morris & Maggie Aster, *Vulnerable to the Virus, High-Risk Americans Feel Pain as the U.S. Moves On*, New York Times, Feb.24,2022.

<sup>2</sup> McIntyre, et al, *Influence of Population Immunosuppression and Past Vaccination on Smallpox Reemergence*, [Emerg Infect Dis](#). 2018 Apr; 24(4): 646–653.

residents are severely immunocompromised and 14.81% of New York City's residents are mildly immunocompromised, over 1.6 million people.

NYSPHA urges the New York State Legislature to immediately pass these bills so no voter is disenfranchised and election administrators have clear, permanent guidance moving forward.

For more information, contact [advocacy@NYSPHA.org](mailto:advocacy@NYSPHA.org)