

JOINT LEGISLATIVE PUBLIC HEARING
ON 2026-2027 EXECUTIVE BUDGET PROPOSAL
LOCAL GOVERNMENT OFFICIALS/GENERAL GOVERNMENT TESTIMONY TO THE
JOINT FISCAL COMMITTEES OF THE NEW YORK STATE SENATE AND
NEW YORK STATE ASSEMBLY

February 11, 2026

Dear Chairpersons Krueger and Pretlow, members of the Senate Finance and Assembly Ways and Means committees, and members of the New York State Legislature:

Thank you for the opportunity to testify today. My name is Erica Smitka and I'm Executive Director of the League of Women Voters of New York State. The League is a nonpartisan, grassroots organization with a mission to educate the public to become engaged members of their communities and informed voters. We have long advocated for a more representative, ethical, and transparent state government.

I will highlight three areas today in my testimony: funding for county boards of elections, election reform measures, and funding for public campaign finance reform. The League believes that it is critical that the Senate and Assembly maintain the level of funding proposed in the Executive Budget for the State Board of Elections and the public campaign finance system and increase direct funding to local boards of elections in their one house budgets.

The League was pleased to see that the State Board of Elections is adequately funded in the Executive Budget, especially funding for the poll worker and commissioner training program, essential election security and enforcement, support to expand accessible vote by mail, funds to support the Doctor John L. Flateau Voting and Elections Database of New York Act, as well as funds to continue to implement Online Voter Registration and Automatic Voter Registration systems. We strongly urge the Senate and Assembly to maintain the proposed funding for the State Board of Elections. Unfortunately, many of these reforms remain insufficiently funded at the local level, especially considering the growing challenges local boards of elections face in carrying out their duties. The League was dismayed to see that the Governor's budget did not set aside funding for local boards of elections other than to cover pre-paid postage stamps for mail in ballots and absentee ballots.

In the current political environment, securing and strengthening our election system at the local level has never been more critical. Federal actions and rhetoric, including lawsuits challenging state election procedures, lawsuits against states such as New York for refusing to turn over sensitive voter data, calls to nationalize elections, and efforts to restrict voting by mail, have placed unprecedented pressure on states to protect election administration and voter access.

These national dynamics translate into tangible impacts at the state and local level. Our election system is strong precisely because it is decentralized and preserving that strength requires robust

investment in state and local boards of elections. While states are being asked to shoulder greater responsibility to combat false narratives around our election systems, we are also seeing proposed federal cuts to the Cybersecurity and Infrastructure Security Agency (CISA), which threaten critical support for election cybersecurity. Against this backdrop of misinformation, litigation, and reduced federal assistance, it is essential that boards of elections are fully funded and equipped to protect voting systems, maintain public confidence, and respond swiftly to emerging threats. Investing in election administration at the local level is essential to safeguarding the integrity of our democracy as we approach the 2026 midterm elections.

Funding to County Boards of Elections Needed to Safeguard the Electoral Process

Misinformation and disinformation are eroding trust in New York State's elections, while local election boards are increasingly overworked, understaffed, and underfunded, struggling to address these challenges. In conversations with local boards of elections commissioners about the upcoming 2026 election, most reported being overworked, understaffed, lacking the resources to promote accurate voter education, and overwhelmed at the implementation of new voting mandates. One such example is the transition of some local offices outside of New York City to even-year elections. Commissioners voiced concerns about the potential for two-page ballots and the additional training needed to ensure the transition runs smoothly. A lack of resources dedicated to our local boards should not be the impetus that keeps New York from advancing voting reforms.

Furthermore, election workers face mounting pressure as they combat misleading information, secure voting processes, and manage voter turnout, all with limited resources. As attempts to disrupt the electoral process continue to grow, additional support is needed to combat misinformation through effective voter education, as well as through better training and recruitment of poll workers. Ensuring that elections run smoothly and efficiently should be a top 2026 priority for all New Yorkers.

The League was pleased to see that funds were specifically allocated to local boards of elections to cover the cost of absentee and early vote by mail ballot postage (\$5M). However, there are still limited funds available for educating voters, poll worker training, staffing, and the establishment of new sites to comply with current mandates. Elections are often the last item on the list when it comes to county budgets and many county boards operate with limited resources. It will not be possible for boards to continue to expand or protect voting access without funds devoted to these measures.

We ask that an annual dedicated funding stream of **\$35 million** through Aid to Localities be allocated to county boards of elections so that they may make the necessary upgrades to effectively run our elections in 2026.

Election Reform

Part R and Part S- Article VII: Public Protection and General Government

The League supports the intent of Part R, Article VII. New York State is not immune to deceptive practices targeted at voters. In recent years we have seen text messages sent to voters

across the state with incorrect poll site information¹, robocalls with false claims around mail in voting², and AI chatbots providing incorrect information on voting deadlines³. These tactics are often aimed at confusing or deterring participation and they underscore the importance of having a strong enforcement authority to hold violators accountable. By clarifying criminal penalties this would deter more organized voter suppression tactics and would give the courts the tools they need to protect voters in real time. While the League strongly supports efforts to combat deceptive voting practices, we do have some concerns about the breadth of this bill. The expansive standing provisions coupled with escalating criminal penalties could unintentionally limit legitimate voter education and outreach and expose election officials and civic organizations to increased litigation risk. We urge the Legislature to consider clarifying scope, providing appropriate guardrails to ensure the law strengthens voter confidence without creating unintended consequences.

The League supports the intent of Part S, Article VII because it establishes enforceable guardrails against the use of materially deceptive media in elections. It is critical that voters are made aware of manipulated media content created with the intent to mislead. These measures must be in place to protect voters from intentional manipulation, promote transparency in campaign communications, and help maintain public confidence in the integrity of our elections. The League supports efforts to address the growing threat of AI-generated election disinformation. However, we urge careful revision to ensure the law protects voters from deception without discouraging lawful participation or undermining first amendment rights.

We support the passage of bills to address stopping the spread of mis and disinformation and the use of deceptive media in our elections. The League encourages the Senate and Assembly to include revised measures addressing both issues in their one-house budgets.

Democracy During Detention Act-

Fifty years ago, the United States Supreme Court recognized the right to vote for those citizens detained in New York State county jails awaiting trial, serving misdemeanor sentences, or waiting to testify before a Grand Jury.⁴ As a consequence of this ruling, the New York State legislature rewrote the requirements to qualify for an absentee ballot to include: In jail or prison for any reason other than a felony conviction. This includes anyone who is awaiting grand jury action, awaiting trial, or serving a sentence for a misdemeanor.⁵

However, in actual practice access to the ballot while in a county jail remains elusive throughout New York State. In 2023, the League of Women Voters of New York State conducted a survey of county jails in New York State to determine the status of voting. Because the majority of people held in county jails are Black and Latinx,⁶ failure to provide access to voting results in another form of systemic racial discrimination.

¹ https://spectrumlocalnews.com/nys/central-ny/politics/2024/06/24/new-york-text-message-scam-election-polling-locations?utm_source=chatgpt.com

² https://ag.ny.gov/press-release/2022/attorney-general-james-stops-robocall-company-hired-scheme-suppress-black-voters?utm_source=chatgpt.com

³ https://ag.ny.gov/press-release/2024/attorney-general-james-warns-voters-against-relying-ai-chatbots-election?utm_source=chatgpt.com

⁴ *O'Brien v. Skinner*, 414 U.S. 524 (1974).

⁵ <https://www.elections.ny.gov/RequestBallot.html>

⁶ Vera, *Incarceration Trends: New York*, (Feb. 2023) <https://trends.vera.org/state/NY>.

Statewide only twelve out of 62 counties surveyed had even a limited program; this includes Rikers Island. However, these programs remain inconsistent, may not cover all elections, and are often ineffective because of high ballot rejection rates from the boards of elections. Ultimately, the availability of voting depends on the authority of the sheriff, not on the current law.

The Democracy During Detention Act (S440/A2121) would address this issue that disenfranchises thousands of voters every year. The law would require that boards of elections and jail administration develop a facility voter access plan for each county jail to ensure access to at least one form of secure voting: absentee, early vote by mail, or poll site. Local boards of elections should be leading this effort, but to do so they need financial support. The League strongly urges the Legislature to provide direct funding of **\$500,000** to local boards of elections to support this legislation.

Campaign Finance Reform

Public Campaign Finance Board

The League strongly supports the **\$116.1 million** allocated to the Public Campaign Finance Board. The funding for this program included in the Executive Budget will ensure that the program will be able to continue to level the playing field, amplify the voices of small donors, and reduce the impact of wealthy special interest groups in New York. The combination of New York State's incredibly lax campaign finance limits on candidates and parties, and the Supreme Court's 2010 Citizen United decision unleashing outside political spending, means that big money has increasingly dominated political campaigns in our state, overshadowing the voices of everyday New Yorkers. This situation makes the small-donor matching funds program not just important, but essential, especially when it comes to issues like protecting our democracy. We urge you to maintain the Governor's allocation of \$116.1 million to the Public Campaign Finance Program in the FY2026-2027 budget.

Conclusion

The League of Women Voters of New York State urges the Legislature to make the investments and policy choices necessary to protect the integrity, accessibility, and security of our elections. Fully funding state and local boards of elections, strengthening enforcement against voter deception, protecting voters from materially deceptive media, and ensuring access to the ballot for eligible voters in county jails are essential to maintaining public trust and a healthy democracy. We respectfully ask the Senate and Assembly to include these priorities in their one-house budgets and to demonstrate a clear commitment to safeguarding the right to vote for all New Yorkers.