

Written Testimony
Submitted to The Joint Budget Hearing
on Local Governments and Government Operations
February 10, 2026

Thank you for inviting the public to submit written testimony.

[Let NY Vote](#) is a nonpartisan, state-wide coalition of well over 200 organizations working to improve our elections by making voting more accessible, secure, and equitable for every New York voter.

I am the lead for the VIVA NY Working Group of [Let NY Vote](#). We promote the passage of a bill, VIVA NY ([A6287 \(Cunningham\)](#) / [S7116 \(Cleare\)](#)). The primary purpose of VIVA NY is to clarify NY Election Law so as to preserve the right of New York voters to choose, in the polling place, whether to hand-mark paper ballots, or to use a ballot-marking device (a BMD) to mark identical ballots.

This bill has **an important additional positive fiscal impact**: It would prevent the spending of millions of taxpayer dollars on a wildly expensive voting machine, the ES&S ExpressVote XL, which according to the [NYS Office of General Services](#) **currently costs on the order of \$12,000 each**.

Why is this important now?

In a March 8, 2025 article, "[Suffolk County OKs purchase of new voting machines](#)," by Joe Werkmeister," Newsday reported:

The Suffolk County Legislature on Tuesday allocated **nearly \$35 million to the county's Board of Elections to purchase new voting machines**, replacing ones officials say went beyond their shelf life.

In a May 25, 2025 article, "[New voting machines face intense skepticism](#)," by Emilie Munson, the *Albany Times Union* reported:

Erie County bought 40 ExpressVote XL machines **for nearly \$500,000** but currently has no plans to use them, said Robin Sion, Republican deputy commissioner at the county Board of Elections.

In Nassau County, the Board of Elections **is considering spending \$38 million to buy ExpressVote XL machines** next year, said James Scheuerman, the Democratic Board of Elections commissioner.

Why would counties spend such large sums of money? Perhaps, as the *Times Union* [indicated](#), it's the result of effective use of paid lobbyists:

At the center of the turmoil is the vendor, a Nebraska company called Elections Systems and Software LLC, which supplies voting machines used by more Americans than any other company. The company has contracted a stable of lobbyists and spent nearly \$1.5 million in six years to influence lawmakers and officials in Albany and New York City on this and related issues, lobbying disclosures reveal.

Otherwise, why would counties buy \$12,000 machines to replace simple, proven technology that has been in use in New York State since [2010](#) – pen and paper.

To prevent this wasteful spending, I urge you to incorporate the VIVA NY bill ([A6287 \(Cunningham\)](#) / [S7116 \(Cleare\)](#)) into the NYS budget.

In 2023, VIVA NY passed the Senate by a vote of 46 to 16 ([S6169A 2023, Cleare](#)). In this session, VIVA NY is co-sponsored by 8 members of the Assembly's Election Law Committee, and was formerly co-sponsored by now-Mayor Zorhan Mamdani, when he was in the Assembly.

There's another bill I wish to bring to your attention, [A9314 Pretlow](#) (not a priority of Let NY Vote). This bill, recently introduced by Ways and Means Committee Chair Gary Pretlow, "prohibits local boards of elections from purchasing direct recording electronic machines; requires local boards of elections to provide hand marking and ballot marking device options at all polling places."

Like the XL, a DRE would replace our current, successful, trusted method of voting (pen and paper) with a needless, expensive electronic computing machine. New York voters don't need either kind of machine.

Please incorporate both the VIVA NY bill ([A6287 \(Cunningham\)](#) / [S7116 \(Cleare\)](#)) and [A9314 Pretlow](#) into the New York State budget.

Respectfully submitted,
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Lead, VIVA NY Working Group of Let NY Vote.