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Contact: Eric Friedman  
[efriedman@nycbar.org](mailto:efriedman@nycbar.org)

Eli Cohen  
[ecohen@nycbar.org](mailto:ecohen@nycbar.org)

## **New York City Bar Association Comments on Statewide Ballot Proposals**

New York, October 22, 2021 – The New York City Bar Association [has put out its positions](#) on five ballot proposals in the November 2 election.

**Proposal 1: Amending the Apportionment and Redistricting Process**, a constitutional amendment that would freeze the number of state senators at 63, amend the process for the counting of the state’s population, delete certain provisions that violate the United States Constitution, repeal and amend certain requirements for the appointment of the co-executive directors of the redistricting commission and amend the manner of drawing district lines for congressional and state legislative offices.

The City Bar considers this amendment necessary to address delays in the census created by the pandemic and to accommodate New York State’s change from a September primary to an earlier June primary for both federal and state elections. “Without this change, it is possible that new districts will not be ready in time for the political process to proceed in a timely manner for a June 2022 primary,” the City Bar states. The amendment also sets the number of senators at 63, “preventing partisan abuse of the current provision for varying the number of districts.”

The City Bar also supports provisions that would, among other things, re-enumerate prison populations to the incarcerated individuals’ prior home addresses to the extent possible.

**Proposal 2: Right to Clean Air, Clean Water, and a Healthful Environment**, a proposed amendment to Article I of the New York Constitution that would establish the right of each person to clean air and water and a healthful environment. The City Bar supports the amendment “because it would enshrine a baseline level of environmental protection in our state that can endure over time regardless of changes in political leadership. The amendment sends a clear signal about our values as a society. We also believe that placing the amendment in the New York Constitution’s Bill of Rights communicates the importance of environmental rights, placing them on the same footing as other fundamental rights.”

The amendment also could be “a tool for communities to secure healthy environments when existing laws fail them, including by providing a remedy when communities are deprived of access to clean air and water or are facing impending environmental dangers. This is particularly important in underserved communities that experience disproportionate impacts from polluting activities under our existing regulatory systems. The amendment may serve to fill in gaps in environmental laws.”

**Proposal 3: Eliminating 10-Day-Advance Voter Registration Requirement**, a proposed amendment that would delete the current requirement in Article II, § 5 that a citizen be registered to vote at least ten

days before an election and would allow the Legislature to enact laws permitting a citizen to register to vote less than ten days before the election. In fact, the City Bar supports permitting voter registration up to and including on Election Day.

**Proposal 4: Authorizing No-Excuse Absentee Ballot Voting**, a proposed amendment that would delete from the current provision on absentee ballots the requirement that an absentee voter must be unable to appear at the polls by reason of absence from the county or illness or physical disability. “As a matter of policy, the City Bar believes that voting should be a convenient and common practice, and thus any reform to expand the franchise and make voting more convenient for those who otherwise have difficulty doing so is worthy of serious consideration.”

**Proposal 5: Increasing the Jurisdiction of the New York City Civil Court**, a proposed amendment that would increase the New York City Civil Court’s jurisdiction by allowing it to hear and decide claims for up to \$50,000 instead of the current jurisdictional limit of \$25,000. If approved, the City Bar believes it is very likely that many more cases would be filed in civil court, instead of Supreme Court, and allowing more cases to be filed in civil court would generally benefit litigants. However, if the jurisdictional limit is increased, resulting in significantly increased filings, the City Bar believes that additional judges and support staff would have to be assigned to civil court to handle the increased number of cases.

Read the City Bar’s full comments here: <https://bit.ly/3b3Vzz2>

#### **About the Association**

*The mission of the New York City Bar Association, which was founded in 1870 and has 25,000 members, is to equip and mobilize a diverse legal profession to practice with excellence, promote reform of the law, and uphold the rule of law and access to justice in support of a fair society and the public interest in our community, our nation, and throughout the world.*  
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