



MEMO OF OPPOSITION

S4588 (Stewart-Cousins) / A4881 (Heastie)

*Undermines New Yorkers' right to representation
by consolidating special and general elections*

February 10, 2025

TITLE OF BILL

An act to amend the public officers law, in relation to filling vacancies in elective offices.

STATEMENT OF OPPOSITION

We strongly oppose this bill because it changes the rules of the game in the midst of an election cycle. It also appears to be a blatant and partisan attempt by New York's legislative majority to give their political party an advantage created by a vacancy due to a presidential appointment. We believe election laws should be fair, impartial, consistent, and carefully considered. We also believe that spur-of-the-moment changes like this bill foster cynicism and reduce public trust in government.

We agree that New York's rules for special elections need improvement, but this bill, which was written in haste, will result in 767,000 people having no congressional representation for an additional four months than they would under the current law. The bill further erodes democratic norms that are already being dismantled and diminished nationally.

We urge the Legislature to NOT pass the bill, and the Governor to veto it if passed.

SUMMARY OF PROVISIONS

Section 1 states the legislative findings, which are that special elections are expensive and reduce turnout.

Section 2 amends Public Officers Law Section 42(3) to make it so that the governor must proclaim a special election within 15 (rather than 10) days of a vacancy. For congressional representatives, the election may be set on the same day of the general

election of that year. For state senators and assemblymembers, the special election may be consolidated if there is a general election within 40 to 100 days of the governor's proclamation.

Section 3 states that the bill takes effect immediately.