



NEW YORK STATE SENATOR

Shelley B. Mayer

Legislation Supporting Village Referenda Signed Into Law

SENATOR SHELLEY B. MAYER August 26, 2024

| ISSUE: **VOTING RIGHTS**

Albany, NY – Senator Shelley B. Mayer (SD-37) and Assemblyman Steve Otis (AD-91) announce that Governor Hochul has signed legislation they sponsored (S.9763/A.9991) regarding village referenda, as part of a package of bills to strengthen voting rights. The bill corrects a conflict between two provisions in state law that made it impossible for a village to place a referendum on the ballot on the regular November election date because there was no way to comply with the conflicting timetable requirements of the two sections of law.

In order for a proposition to be submitted to voters at the general village election in November, the village clerk must submit the question to the County Board of Elections at least three months prior to General Election Day. This requirement was implemented in 2019 in order to ensure compliance with the Federal Military Overseas Voter Empowerment (MOVE) Act. The MOVE Act ensures that military voters receive absentee ballots far enough in advance of an election to ensure that such absentee ballots cast by military voters may be returned in time to be properly canvassed.

In making this change, the Legislature did not adjust the timing of village law. Village law required that referendums be held sooner than the three-month election law requirement. Consequently, it is impossible for a village to comply with both the timing requirements of

village law and election law and have a proposition appear on a November ballot. This bill reconciles that conflict.

State Senator Shelley B. Mayer said, “I am pleased that New York State is taking important steps to ensure all New Yorkers have equal access to voting and voter information. This bill was essential in order to correct an inconsistency between village and election law to ensure villages in New York State have proper time to put referendums on their November ballots. I thank the local officials who brought this to Assemblyman Otis and my attention and Governor Kathy Hochul for signing it into law.”

Assemblyman Steve Otis said, “This legislation was brought to my attention by local officials who discovered that the conflict of law made it impossible for a village to set a date for a referendum and be in compliance with both sections of law. As a former mayor, I know that these types of nuts-and-bolts obstacles must be resolved to allow local governments to function and to provide voters their voice through meaningful public participation. Having served as a local official herself, it is no surprise that Governor Hochul has embraced and approved this legislation.”

Village of Mamaroneck Mayor Sharon Torres and Trustee Nora Lucas said, “We want to thank Senator Mayer and Assemblyman Otis for introducing this bill which eliminates a conflict between State Village Law and State Election law, that made it impossible for a village to schedule a referendum without holding a special election. With this change, Mamaroneck and other Villages can better do our jobs and ensure strong voter participation. As ever, we appreciate Senator Mayer and Assemblyman Otis for always focusing on the needs of their constituents and for Governor Hochul for promptly signing this bill.”

Village of Larchmont Mayor Sarah Bauer said, “We are very grateful to have Shelley Mayer and Steve Otis as our representatives here in the Village of Larchmont. We always appreciate their swift action when issues like this are brought to their attention.”