

#2024-70

RESOLUTION NO. 14 2024

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro No. 71 2024 entitled "A LOCAL LAW amending Chapters 107 and 110 of the Laws of Westchester County to modify the length of terms and the timing of elections for Westchester County Legislator and County Executive." The public hearing will be held at 7:30 p.m. on the 18 day of March 2024 in the Chambers of the Board of Legislators, 8<sup>th</sup> Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.

TO: HONORABLE BOARD OF LEGISLATORS  
COUNTY OF WESTCHESTER

Your Committee is in receipt of “A LOCAL LAW amending Chapters 107 and 110 of the Laws of Westchester County to modify the length of terms and the timing of elections for Westchester County Legislator and County Executive.”

Your Committee is informed that bill A. 4282B/S. 3505B has been passed by the New York State Legislature and signed by Governor Hochul on December 22, 2023. Chapter 741 of the Laws of the State of New York (Chapter 741) moves certain elections to even-numbered years.

Your Committee is aware that the Chapter 741 takes effect on January 1, 2025, and impacts the County’s 2025 election year. Consequently, amendments to the County law are required to conform our law to the requirements of the Chapter 741 which moves elections for County Legislator and County Executive to even-numbered years.

Your Committee is advised that in order to comply with the Chapter 741 and realign the election schedules, this proposed Local Law will mandate that County Legislators elected in 2025 will serve for one year in 2026. Further, an additional election for County Legislator will then be held in 2026, where County Legislators will serve the requisite two-year term. The proposed Local Law also provides that the County Legislators’ one-year term in 2026, pursuant to Chapter 741 will not be counted under the County’s term limit requirements unless the County specifically passes a law to do so. In addition, pursuant to this proposed Local Law, the County Executive elected in 2025 will serve for three, rather than four years. An additional election for County Executive will be held in 2028, and the County Executive will again serve the requisite four-year term. The three-year term for County Executive from 2026 through 2028, in compliance with Chapter 741, will not be counted under the County’s current term limits law unless the County specifically passes a law to do so.

Your Committee is further advised that the requirements contained in this proposed County law will take effect by operation of State law, whether or not the County amends its laws. Therefore, in order to prevent confusion between the Chapter 741 and the current language of the County law, this proposed legislation will conform the County law to the mandates of Chapter 741.

Additionally, and as you know, your Honorable Board must comply with the requirements of the State Environmental Quality Review Act ("SEQRA"). The proposed project does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 8, 2024, which is on file with the Clerk of the Board of Legislators

The Committee, after careful consideration, recommends the adoption of this Local Law.

Dated: February 12, 2024

White Plains, New York


Margaret A. Cijio (WOP)  
and  
Colin Adams  
J. W.  
David J. Tubish (used prejudice)

COMMITTEE ON  
Legislation

Dated: February 12, 2024  
White Plains, New York

***The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.***

 WOP

 WOP

**COMMITTEE ON  
Legislation**

A Local Law amending Chapters 107 and 110 of the Laws of Westchester County to modify the length of terms and the timing of elections for Westchester County Legislator and County Executive.

BE IT ENACTED by the County Board of the County of Westchester as follows:

Section 1. Effective January 1, 2025, Section 107.11 of the Laws of Westchester County is hereby amended as follows:

Sec. 107.11. - Members: term, vacancies, vote.

1. The County Board of Legislators shall consist of such number of members elected from each County Board district as shall be set forth in section 107.31 of this act. Pursuant to Chapter 741 of the 2023 Laws of the State of New York, the term of office of members of the County Board elected in the 2025 general election shall be one year, and shall begin on the first day of January 2026 and end on December 31, 2026. ~~shall be two years and shall begin on the first day of January next following their election.~~ Members of the County Board shall be known as county legislators and shall be county officers.

Section 2. Effective January 1, 2026, Section 107.11 of the Laws of Westchester County is hereby amended as follows:

Sec. 107.11. - Members: term, vacancies, vote.

1. The County Board of Legislators shall consist of such number of members elected from each County Board district as shall be set forth in section 107.31 of this act. The term of office of members of the County Board elected in the 2026 general election, and for all general elections thereafter, shall be two years, and shall begin on the first day of January next following their election ~~elected in the 2025 general election shall be three years, and shall begin on the first day of January 2026 and ending on December 31, 2028.~~ Members of the County Board shall be known as county legislators and shall be county officers.

Section 3. Effective January 1, 2026, Subsection 5 of Section 107.31 of the Laws of Westchester County is hereby amended as follows:

5. County legislators shall be elected at the general election held in each even ~~odd~~ numbered year.

Section 4. Effective January 1, 2025, Section 110.01 of the Laws of Westchester County is hereby amended as follows:

Sec. 110.01. - Election; term; qualifications; compensation.

There shall be a County Executive who shall be elected from the county at large at the general election held the year following the presidential election. The candidate shall be nominated at the primary election in the same manner as other county officers are nominated. Pursuant to Chapter 741 of the 2023 Laws of the State of New York, the County Executive elected during the 2025 general election shall hold office for a term of ~~four~~ three years from January 1 succeeding their election. The County Executive shall at all times be a qualified elector of the county, and shall have been a resident of the county for at least five years prior to their election. The County Executive shall devote their whole time to the duties of the County Executive office and shall hold no other public office. The County Executive shall receive compensation to be fixed by an act of the County Board. No person shall serve as County Executive who has served two four-year terms. No service for a partial term as County Executive shall be included in calculating the two four-year terms.

Section 5. Effective January 1, 2028, Section 110.01 of the Laws of Westchester County is hereby amended as follows:

There shall be a County Executive who shall be elected from the county at large at the general election held the year ~~following~~ of the presidential election. The candidate shall be nominated at the primary election in the same manner as other county officers are nominated. ~~Pursuant to Chapter 741 of the 2023 Laws of the State of New York, the County Executive elected during the 2025 general election~~ shall hold office for a term of ~~three~~ four years from January 1 succeeding their election. The County Executive shall at all times be a qualified elector of the county, and shall have been a resident of the county for at least five years prior to their election. The County Executive shall devote their whole time to the duties of the County Executive office and shall hold no other public office. The County Executive shall receive compensation to be fixed by an act of the County Board. No person shall serve as County Executive who has served two four-year terms. No service for a partial term as County Executive shall be included in calculating the two four-year terms nor shall the three-year term commencing on January 1, 2025.

Section 6. This Local Law shall take effect on the same date as Section 3 of Chapter 741 of the 2023 Laws of the State of New York, except that each section with a later effective date shall take effect on the date specified therein.

# FISCAL IMPACT STATEMENT

SUBJECT: Local Law to modify terms & length of  NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$                   -

Total Current Year Revenue \$                   -

Source of Funds (check one):  Current Appropriations  Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: \_\_\_\_\_

Potential Related Operating Budget Expenses: Annual Amount \$                   -

Describe: Local Law implementing Chapter 741 of the Laws of 2023 which moves many,  
but not all elections, municipal elections to even-number years, and in effect, overriding the  
Westchester County Charter and complies with the change in New York State law.

Potential Related Operating Budget Revenues: Annual Amount \_\_\_\_\_

Describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: \_\_\_\_\_  
\_\_\_\_\_

Next Four Years: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Prepared by: Roberto Nascimento

Title: Senior Budget Analyst

Department: Budget

Date: February 9, 2024

Reviewed By: 

Budget Director

Date: 2/9/24