

Chair Richard R. Buery, Jr.
Vice Chair Sharon Greenberger
New York City Charter Revision Commission

April 15, 2025

VIA EMAIL

Re: Comment on the Effect of Moving Municipal Elections to Even-Numbered Years

Dear Chair Buery, Jr., Vice Chair Greenberger, and members of the New York City Charter Revision Commission:

The Brennan Center for Justice at New York University School of Law welcomes the opportunity to provide comment on the well-tested reform of moving local elections to even-numbered years.¹ For thirty years, the Brennan Center’s nonpartisan expertise has informed policies that protect and expand democracy, including proposals that move low-turnout municipal elections to even years and measures that give underrepresented New Yorkers a more meaningful voice in their elections and government.

The average voter turnout in New York City mayoral elections over the past twenty years is just 29.5 percent – a far lower rate than the turnout for gubernatorial and federal elections in that same period.² Even fewer New York City voters turn out for non-mayoral elections in odd years despite competitive races across the boroughs and statewide ballot measures on the ballot.³ Such dismal turnout frustrates the full potential of an inclusive democracy in New York City.

Aligning low-turnout city elections to even-numbered years can help address this problem. Given the experience of other jurisdictions that have aligned their elections, we know this policy

¹ The Brennan Center is a nonpartisan public policy and law institute that focuses on the fundamental issues of democracy and justice. This comment does not reflect views, if any, of the NYU School of Law.

² New York City Campaign Finance Board, *2023 Voter Analysis Report*, April 29, 2024, 74, https://www.nycfb.info/pdf/2023_VoterAnalysisReport.pdf.

³ For example, only 12.8 percent of eligible New York City voters cast a ballot in the 2023 general election. *See* New York City Campaign Finance Board, *2023 Voter Analysis Report*, 2; *see also* Citizens Union, “2023 Local Races Turnout: Why New York Needs Even-Year Elections,” November 15, 2023, <https://citizensunion.org/portfolio-item/citizens-union-analysis-of-the-november-2023-election-finds-significant-voter-turnout-drop-in-off-year-local-elections/>.

can increase voter turnout, promote a more representative electorate, and reduce election administration costs.

With these democratic benefits in mind, the New York City Council has introduced a resolution calling on the state Legislature to initiate the constitutional amendment process to extend this reform to New York City elections.⁴ Lawmakers in Albany have already proposed legislation to do so,⁵ making clear they are committed to building on the state's progress of moving town and county elections to even-numbered years.⁶ And critically, public opinion reflects overwhelming support for this policy. Recent polling shows a large majority of likely New York City voters across the five boroughs and demographics including race, age, and gender support this policy.⁷

Nearly all academic studies on this reform have found that elections in odd-numbered years drastically hinder voter turnout.⁸ New York City's last mayoral general election hit a historic low of 23.3 percent in 2021.⁹ But in last year's presidential election, more than twice as many voters

⁴ New York City Council, *Res. 0189-A-2024*, 2024–25 Sess. (N.Y.C. 2024); see also Marina Pino, "Testimony before the New York City Council Committee on Governmental Operations, State & Federal Legislation," Brennan Center for Justice, December 5, 2024, <https://www.brennancenter.org/our-work/research-reports/testimony-new-york-city-council-committee-governmental-operations-state>.

⁵ S. 5851, 2025–27 Sess. (N.Y. 2025), <https://www.nysenate.gov/legislation/bills/2025/S5851>; A. 7369, 2025–27 Sess. (N.Y. 2025), https://assembly.state.ny.us/leg/?default_fld=%0D%0A&leg_video=&bn=A07369&term=2025&Text=Y.

⁶ See New York State Governor Kathy Hochul, "Governor Hochul Signs Voting Rights Legislation to Expand Access to the Ballot Box and Improve Voter Participation," December 22, 2023, <https://www.governor.ny.gov/news/governor-hochul-signs-voting-rights-legislation-expand-access-ballot-box-and-improve-voter>. Recent litigation is frustrating this law's timely implementation, which was set to go into full effect on January 1, 2025. See Joshua Solomon, "N.Y. Law Moving Local Elections to Even Years Challenged," *Times Union*, April 2, 2024, <https://www.timesunion.com/state/article/n-y-law-moving-local-elections-even-years-19379629.php>; and Luke Parsnow, "Judge Rules New York's New Even-Year Election Law Violates State Constitution," *Spectrum News 1*, October 8, 2024, <https://spectrumlocalnews.com/nys/central-ny/politics/2024/10/08/judge-rules-new-york-s-new-even-year-election-law-is-unconstitutional>. Defendant Onondaga County Board of Elections Commissioner filed appeal on November 7, 2024.

⁷ Jesse Am, "Polling NYC: Survey Analysis of 2025 Likely Mayoral Voters on Politics, Crimes, Migrants, and Electoral Reform," Manhattan Institute, April 18, 2024, <https://manhattan.institute/article/polling-nyc-survey-analysis-of-2025-likely-mayoral-voters>.

⁸ Zoltan Hajnal and Avi Green, "Big Cities – Tiny Votes? America's Urban Voter Turnout," Yankelovich Center for Social Science Research, December 2024, <https://yankelovichcenter.ucsd.edu/files/reports/Big-Cities-Tiny-Votes.pdf>; Zoltan Hajnal, Vladimir Kogan, and G. Agustin Markarian, "Who Votes: City Election Timing and Voter Composition," *American Political Science Review* 116, no. 1 (February 2022): 374–83, <https://www.cambridge.org/core/journals/american-political-science-review/article/abs/who-votes-city-election-timing-and-voter-composition/39CE6B9F0E906228F695248C874C0C36>; Justin de Benedictis-Kessner and Christopher Warshaw, "The Electoral and Policy Effects of Election Timing in City and County Government," Harvard Kennedy School, December 23, 2023, <https://www.hks.harvard.edu/publications/electoral-and-policy-effects-election-timing-city-and-county-government>; Melissa Marschall and John Lappie, "Turnout in Local Elections: Is Timing Really Everything?," *Election Law Journal: Rules, Politics, and Policy* 17, no. 3 (September 2018): 221–33, <https://www.liebertpub.com/doi/10.1089/elj.2017.0462>; and Zoltan L. Hajnal, "America's Uneven Democracy: Race, Turnout, and Representation in City Politics," *Cambridge University Press*, 2012, <https://www.cambridge.org/core/books/americas-uneven-democracy/F7F07D16DF4AE060B09589BDF72892E4>.

⁹ New York City Campaign Finance Board, *2021-2022 Voter Analysis Report*, February 3, 2022, 2, https://www.nyccfb.info/pdf/2021-2022_VoterAnalysisReport.pdf.

cast a ballot, making up 54 percent of the city’s registered voters per early returns.¹⁰ The 2021 and 2024 comparison is not an anomaly: over the last five New York City mayoral contests, the average voter turnout is just 27 percent, while the average rate across the last five presidential elections is 60 percent.¹¹

Elections in odd-numbered years also exacerbate disparities in participation for voters who have historically faced barriers to the franchise, including voters of color and young voters.¹² In 2023, for example, only 6.1 percent of young voters and an even lower rate for voters of color in certain New York City neighborhoods participated in the general election for all City Council members.¹³ That election had an overall turnout rate of just 12.8 percent of eligible city voters.¹⁴

As the New York City Council’s proposed Resolution makes plain, moving municipal elections to even-numbered years can make the city’s democracy more inclusive, with more eligible voters electing their representatives.¹⁵ We know this based on the experience of other cities that have aligned their local elections with even-numbered year elections. Case in point: San Francisco saw a nearly three-fold increase in turnout last fall – the city’s first election since adopting the policy – when compared to the average turnout rate from the previous six odd-numbered year election cycles.¹⁶ In other Californian cities that previously adopted the policy, turnout among younger voters nearly doubled, and Hispanic and Asian American voters also saw substantial turnout gains.¹⁷

This reform can also help New York City reduce election administration costs. In 2024, the Independent Budget Office reported that the city could save an estimated \$42 million every other year with consolidated elections.¹⁸ This assessment is significant in a city where the last mayoral primary and general elections cost approximately \$60 million.¹⁹ With a shift to even-numbered

¹⁰ Hajnal and Green, “Big Cities – Tiny Votes? America’s Urban Voter Turnout,” 13.

¹¹ Hajnal and Green, “Big Cities – Tiny Votes? America’s Urban Voter Turnout,” 13.

¹² See Harvard Law School Election Law Clinic, “Support for Resolution No. 189-A, Amendment to the New York State Constitution To Move New York City Elections to Even-numbered Years,” December 3, 2024, <https://static1.squarespace.com/static/60a559b59cfc63389f67f892/t/674f8d5c29915c7b8d59c005/1733266780394/Letter+to+NYC+Council+re+NY+Election+Alignment+vF.pdf>.

¹³ New York City Campaign Finance Board, *2023 Voter Analysis Report*, 18.

¹⁴ Brigid Bergin, “What if NYC’s Mayoral Election Was this Year? Experts Say More People Would Vote in It,” *Gothamist*, April 29, 2024, https://gothamist.com/news/what-if-nycs-mayoral-election-was-this-year-experts-say-more-people-would-vote-in-it?utm_medium=social&utm_source=facebook&utm_campaign=shared_facebook.

¹⁵ New York City Council, *Res. 0189-A-2024*, 2024–25 Sess. (N.Y.C. 2024).

¹⁶ Hajnal and Green, “Big Cities – Tiny Votes? America’s Urban Voter Turnout,” 8.

¹⁷ Hajnal, Kogan, and Markarian, “Who Votes: City Election Timing and Voter Composition,” 377–79; and Citizens Union, *Moving Municipal Elections to Even-Numbered Years*, December 2022, 40–41, https://citizensunion.org/wp-content/uploads/2023/01/Moving-Municipal-Elections-to-Even-Numbered-Years-Citizens-Union-report_FINAL.pdf.

¹⁸ Annie McDonough, “Independent Budget Office: Holding All Elections on Even Years Would Save NYC Millions,” *City & State New York*, August 15, 2024, <https://www.cityandstateny.com/policy/2024/08/independent-budget-office-holding-all-elections-even-years-would-save-nyc-millions/398851/#:~:text=New%20York%20City%20could%20save%20an%20estimated%20%2442.report%20from%20the%20city%E2%80%99s%20Independent%20Budget%20Office%20found.>

¹⁹ Citizens Union, *Moving Municipal Elections to Even-Numbered Years*, 44.

years, city election officials can allocate resources in odd-numbered years towards other essential responsibilities to more equitably serve all voters, including voter registration, cyber and physical security enhancements, and upgrades to election infrastructure.²⁰

The Brennan Center commends the New York City Charter Revision Commission for analyzing this important reform which would build a more participatory democracy for all eligible city voters. By shifting municipal elections to even-numbered years, the city can achieve the broad, representative turnout its elections deserve.

Respectfully submitted,

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²⁰ See New York City Campaign Finance Board, *2022-2023 Voter Analysis Report*, May 1, 2023, 93, https://www.nycfb.info/pdf/2022-2023_VoterAnalysisReport.pdf (“Consolidating elections would mean the City BOE would spend less on running elections year to year and concentrate on delivering crucial election services in dedicated election years.”).