



**TESTIMONY OF**  
**CITIZENS UNION OF THE CITY OF NEW YORK**  
**ON RESIDENCY REQUIREMENTS FOR MUNICIPAL OFFICE**  
Before the New York City Council Committee on Governmental Operations  
February 25<sup>th</sup>, 2008

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Good Morning, Chair Felder, members of the Government Operations Committee, and other members of the City Council. My name is Rachael Fauss, and I am the Policy and Research Associate of Citizens Union of the City of New York, an independent, non-partisan, civic organization of New Yorkers who promote good government and advance political reform in our city and state. We commend the City Council for holding this important hearing.

Citizens Union has been looking into the issue of residency requirements for municipal office over the past year. We accept that there is ambiguity in state law relating to residency requirements for municipal office, and have developed a recommendation on this subject that is being released today as part of a larger issue briefing and position statement on the filling of vacancies for elected office. Of particular note to the City, the position statement recommends that for its non-partisan municipal special elections, instant runoff voting be established to allow voters to rank candidates at the time of voting to ensure that the successful candidate receives a majority of the vote and most accurately reflects the will of the electorate.

For residency requirements for municipal office, we recommend that that in order to serve in an office at the local level, such as New York City Council, an elected official should be required to be a resident of the jurisdiction or district he or she is seeking to represent at the time he or she is sworn into office. The official would sign an affidavit affirming permanent residency within the district, and must continue to maintain primary residence in that jurisdiction throughout the duration of the term of office. However, when filing papers as a candidate for office, a candidate who lives outside the district must indicate his or her current address, not an intended residency at a future address in the district.

The reason that we take this position is not in consideration of the candidates, but rather to ensure that voters have greater choice, and that they are able to do so with accurate knowledge of the residencies of the candidates. As has been the problem in the past, candidates may otherwise feel compelled to list a false or future address in the district. During special elections, it is even more important that the choice of candidates not be restricted, so that voters can choose from all candidates who may have an affinity with their districts. Furthermore, with accurate information about the candidates' current residencies, voters will be able to decide who best will represent them.

Chair Felder and other members of the City Council, Citizens Union thanks you for holding this important hearing and for making it possible for us to express our views.

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