



## Legislation Text

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**File #:** Res 0740-2025, **Version:** \*

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### Res. No. 740

Resolution calling on the State Legislature to pass, and the Governor to sign, S.590/A.3665, which would eliminate the rule that provides whenever a city charter commission puts a proposal on the local ballot, other referendum proposals are barred from the ballot.

By Council Members Restler, Brooks-Powers, Brewer, Hudson, Cabán, Brannan, Avilés, Menin, Hanif, Gennaro, Marte, Bottcher, De La Rosa, Sanchez, Krishnan, The Speaker (Council Member Adams), Williams, Fariás, Banks, Won, Rivera and Gutiérrez

Whereas, The New York City Charter sets out the organization, powers, functions and essential procedures of the city government; and

Whereas, Since the adoption of the first city charter in 1897, it has been amended over 100 times; and

Whereas, The most common method for amending the charter is through local law; and

Whereas, Although the charter can be amended through local law, certain significant changes must be approved by the voters at an election; and

Whereas, The New York City Charter can be changed through a Charter Revision Commission, created by the Mayor, the City Council, or by petition; and

Whereas, Under New York State law, when a Mayor-created Charter Revision Commission places a proposal on the ballot, certain other ballot proposals are barred; and

Whereas, In May of 2024, legislation was introduced in the New York City Council to require Council advice and consent for 21 commissioner-level appointments, which would require approval in a citywide voter referendum in order to go into effect; and

Whereas, Just a few hours after the New York Times informed Mayor Adams about the Council's intent to introduce the advice and consent legislation, the Mayor's office put out a news release announcing the

formation of a Charter Revision Commission; and

Whereas, The Mayor's Charter Review Commission reviewed the entire City Charter, held public meetings and made recommendations to amend the Charter, all within a 9-week time frame; and

Whereas, The first public hearing held by the Mayor's Charter Review Commission was held on May 29 and the final meeting took place less than 60 days later, on July 25; and

Whereas, The Mayor's Charter Review Commission held only twelve public hearings in the five boroughs; and

Whereas, The ballot questions proposed by the Mayor's Charter Revision Commission ultimately prevented the Council's advice and consent proposal from being placed on the general election ballot; and

Whereas, On November 12, 2024, the New York City Council passed Introduction Number 1088-A, which established a Council-initialed Charter Revision Commission; and

Whereas, On December 12, 2024, Mayor Adams announced the formation of a second Charter Revision Commission; and

Whereas, If the Mayor's Charter Revision Commission ultimately proposes ballot questions, the Council's Charter Revision Commission will be barred from putting its own questions on the general election ballot; and

Whereas, Mayor Adams is not the first Mayor to use a Charter Review Commission to keep a Council-passed measure off the ballot; and

Whereas, In 1998 then-Mayor Giuliani created a Charter Revision Commission to block a referendum that would have prevented the use of public funds to build new Yankee Stadium on the west side of Manhattan; and

Whereas, In 2003, and again in 2005, then-Mayor Bloomberg used Charter Revision Commissions to keep referendums on class size off the ballot; and

Whereas, S.590, introduced in the New York State Senate by Senator Liz Krueger, and pending in the

New York State Senate, and its companion bill A 3665, introduced in the New York State Assembly by Assembly Member Tony Simone and pending in the New York State Assembly would eliminated the rule that bars certain other referenda from the ballot when a City Charter Commission puts a proposal on the local ballot; and

Whereas, New York State Home Rule law already has a provision that if two conflicting ballot measures are approved, the provision that receives the most votes prevails; and

Whereas, There is no reason that proposals from multiple sources cannot or should not appear on a ballot at the same time; now, therefore, be it

Resolved, That the Council of the City of New York calls on the State Legislature to pass, and the Governor to sign, S.590/A.3665, which would eliminate the rule that provides whenever a city charter commission puts a proposal on the local ballot, other referendum proposals are barred from the ballot .

LS #18121  
1/28/25  
EHC