

Even Year Election Law Upheld

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On October 16, 2025, the New York State Court of Appeals upheld the State's even year election law (<https://www.nycourts.gov/ctapps/Decisions/2025/Oct25/66opn25-Decision.pdf>), which will move the vast majority of County and Town elections to even years. Starting next year, municipalities will be required to begin shifting their odd year elections to even years. Village, city, and some judicial elections will be

unaffected.

Who is affected?

Under the statute, all town elections, except elections for Town Justice, offices in towns that are co-terminus with a village, and any offices with a three-year term prior to January 1, 2025, and all county elections, except elections for Sheriff, County Clerk, District Attorney, Family Court Judge, Surrogate Court Judge, and any offices with a three year term prior to January 1, 2025, will be moved to even years.

How will the change occur?

Odd year elections will continue as normal through 2025. Officials elected prior to January 1, 2025 will complete their full terms. If the elected official's term ends in an odd year after January 1, 2025, then the term of the town or county official elected in that odd year election will end as if the official had been elected in the previous even year election. For example, the Yorktown Town Supervisor is elected every two years in odd year elections. Under the new law, the 2025 election for Yorktown Town Supervisor will be held as scheduled, but the Supervisor's term will be calculated as if the Supervisor had been elected in 2024. In effect, the Supervisor elected in 2025 will serve one year term and will be up for election in 2026.

In contrast, Yorktown Town Councilmembers serve four-year terms. The terms of those Town Council members elected in 2025 will similarly be treated under the new law as if they were elected in 2024, but, since they have four-year terms, their seats would be next up for election in 2028.

There are several possibilities for how the election schedule will be modified over the next few years to accommodate the change brought about by the new law:

Offices with a two-year term (e.g., most town supervisor positions)

- November 2025 – Election held normally, but only for a one-year term
- November 2026 and thereafter – Office up for election for a two-year term

Offices with a four-year term, election held in 2023 (e.g., certain town council seats)

- November 2027 – Election held normally but only for a three-year term
- November 2030 and thereafter – Office up for election for a full four-year term

Offices with a four-year term, election held in 2025 (e.g., Westchester County and Nassau County Executives)

- November 2025 – Elections held normally, but only for a three-year term
- November 2028 and thereafter – Office up for election for a full four-year term

Conclusion

These changes will have a major impact on numerous local elections. Most importantly, by the end of 2030, all affected offices will have moved to even year elections. The schedule for the interim years can, however, be confusing. If you have any questions, please feel free to contact [David Imamura](#), or Judges [Robert Spolzino](#) and [Jeffrey Cohen](#) at our [White Plains](#) office for their knowledge in [election law](#) and [municipal law](#).