

Recommendation to Amend the Erie County Charter
Erie County Charter Revision Commission of 2025

Introducer's Memorandum to Recommendation intro No. 32

Sponsored by Commission Member: Chris Jacobs, as commission member

TERM LIMITS CHARTER AMENDMENTS

Article 2, Section 202.2 Election and terms of office

County legislators shall first be elected at the general election of the year nineteen hundred and sixty-seven and shall assume office on January first, nineteen hundred and sixty-eight. All elected County legislators shall hold their respective offices for a term of eight. All elected County legislators shall hold their respective offices for a term of two years. No person shall be eligible to be elected or serve as County legislator if that person had previous held such office for four or more two-year terms. For the purpose of establishing the term limit of office shall be calculated beginning the first day of his or her first full term of office after the effective date hereof.

Article 3, of Section 301. The County Executive; election, term; qualifications

The executive branch of County government shall be administered by the County Executive who shall be elected from the County at large. His or her term of office shall begin with the first day of January next following his or her election and shall be for four years, except that the term of County Executive elected in nineteen hundred sixty shall be three years. No person shall be eligible to be elected to or serve as County Executive if that person had previously held such office for two or more four-year terms. For the purpose of establishing the term limit of office shall be calculated beginning the first day of his or her first full term of office after the effective, date hereof. At the time of his or her election and throughout his or her term of office he or she shall be a qualified elector of the County. He or she shall

devote his or her whole time to the duties of his or her office and shall hold no other public office, except as provided in section three hundred seven hereof.

Article 18, Section 1801. Election; Comptrollers Act repealed

There shall be a County Comptroller who shall be elected from the County at large. His or her term of office shall begin with the first day of January next following his or her election and shall be for four years. No person shall be eligible to be elected to or serve as County Comptroller if that person had previously held such office for two or more four-year terms. For the purpose of establishing the term limit of office shall be calculated beginning the first day of his or her first full term of office after the effective, date hereof. At the time of his or her election and throughout his or her term of office he or she shall be a qualified elector of the County. He or she shall devote his or her whole time to the duties of her office and shall no other public office, The Erie County Comptroller's Act, being chapter four hundred twenty-three of the laws of nineteen hundred thirty-nine as amended, is hereby repealed, as of January first, nineteen hundred sixty-one.

Article 19, Section 1901. Election

There shall be a County Clerk who shall be selected from the County at large. His or her term of office shall begin with the first day of January next following his or her election, and shall be four years except as otherwise provided in this Charter. No person shall be eligible to be elected to or serve as County Clerk if that person had previously held such office for two or more four-year terms. For the purpose of establishing the term limit of office shall be calculated beginning the first day of his or her first full term of office after the effective, date hereof. At the time of his or her election and throughout his or her term of office he or she shall be a qualified elector of the County. He or she shall devote his or her whole time to the duties of his or her office and shall hold no other public office

Article 20, Section 2001, Election

There shall be a District Attorney who shall be elected to the County at large. His or her term of office shall begin with the first day of January next following his or her election, and shall be four years except as otherwise provided in this Charter.

No person shall be eligible to be elected to or serve as District Attorney if that person had previously held such office for two or more four-year terms. For the purpose of establishing the term limit of office shall be calculated beginning the first day of his or her first full term of office after the effective, date hereof. At the time of his or here election and throughout his or her term of office he or she shall be a qualified elector of the County. He or she shall devote his or her whole time to the duties of his or her office and shall hold no other public office.

Article 21, Section 2101. Election

There shall be a Sheriff who shall be elected to the County at large. His or her term of office shall begin with the fist day of January next following his or her election and shall be for four years except as otherwise provided in this Charter. No person shall be eligible to be elected to or serve as Sheriff if that person had previously held such office for two or more four-year terms. For the purpose of establishing the term limit of office shall be calculated beginning the first day of his or her first full term of office after the effective, date hereof. At the time of his or her election and throughout his or her term of office he or she shall be a qualified elector of the County. He or she shall devote his or her whole time to the duties of his or her office and shall hold no other public office.

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Restricting Party Chairs from Serving as Board of Election Commissioners

Article 22 Other County Boards

Section 2201. Board of Elections. The Board of Elections, its powers and duties and the method of appointment of the members thereof by the County Legislature shall continue as provided by law.

No person shall be appointed as election commissioner or deputy election commissioner who is not a registered voter in the county and not an enrolled member of the party recommending his or her appointment, or who is the chair of the respective democratic or republic party or committee in the county or who holds any other public office, except that of commissioner of deeds, notary public, trustee or officer of a school district; provided, however that the provision of this subdivision prohibiting an election commissioner or deputy commissioner from continuing to hold office who is the chair of the respective democratic or republican party or committee shall not apply to any person currently serving as election commissioner or deputy election commissioner.

An election commissioner or deputy commissioner shall not be a candidate for any elective office which he or she would not be entitled to hold under the provisions of this article, unless he or she has ceased by resignation or otherwise, to be a commissioner or deputy commissioner prior to his or her nomination or designation therefor. Otherwise such nomination or designation shall be null and void.