



November 2016

## New York State 2016 Election Results

New York's only statewide race was the reelection of Senator Schumer, but all 213 of New York's State legislators were up for election. Leading into Election Day there was no expectation for a significant shift in the make-up of the State Assembly, but there was uncertainty regarding the control of the State Senate.

*State Senate* (Likely outcome: 32 R, 23 D, 7 IDC, 1 D/R)

Since the special election held in April 2016 to fill the vacancy created by the conviction of former Majority Leader Dean Skelos, 31 Republicans were serving in the State Senate. Prior to Election Day, the Republicans continued to control the Senate because Simcha Felder, a Democrat elected from Brooklyn, opted to caucus with the Republican Conference. As a result, even though there were more individuals enrolled as Democrats serving in the Senate (32), the Republican Conference was in the majority. In addition, since 2011, Senator Jeff Klein (D – Bronx, Westchester) has led a group of break-away Democrats who formed the Independent Democratic Conference (IDC). Prior to this fall, the IDC was a caucus of five. It was expected to grow to six after Marisol Alcantara – who won a primary to replace New York City Congressman-elect Adriano Espaillat and has no real general election competition – announced that she would be joining the IDC when the Senate reconvenes in January. As a result of an Election Day-eve announcement by incumbent Senator Jesse Hamilton (D-Brooklyn), the IDC is likely to grow to a conference of at least seven. This resulted in an assumption that Senator Klein and the IDC would have significant bargaining power in negotiating a possible coalition. Notwithstanding the growth of the IDC, that coalition dynamic would only matter to the extent that the Republican Conference would be smaller than 32 after Election Day 2016.

Throughout the election season there was significant focus on Senate races on Long Island, as well as in the Hudson Valley, the Capital Region, and Western New York. The Senate Republican Conference was generally seeking to protect incumbents and possibly pick-up one seat previously held by a Democrat who opted not to seek re-election in Western

New York. The Democrats were looking to pick-up seats across the State, particularly in Nassau County, where a late-October indictment involving the County Executive and other local elected officials created greater uncertainty about the outcome of the Long Island races. As of Wednesday morning, it appears that the Senate Republicans will continue to hold a slim – but likely outright – majority. The Republicans won the open Western New York seat (Chris Jacobs), and appears to have held all other seats. The exception may be the Nassau County race between incumbent Senator Michael Venditto (R) and challenger John Brooks (D), which remains too close to call. With all Election Districts reporting, Brooks was leading by only 33 votes. The outcome of this race is expected to be determined by paper absentee ballots that have yet to be counted, and might not be resolved for several weeks. If Senator Venditto is able to retain his seat, the Republican Conference will ultimately have grown by one, providing them with the necessary 32 votes, without accounting for Senator Felder or the IDC.

#### *State Assembly (107 D, 43 R)*

The Assembly has long been controlled by the Democratic Majority. Following the special elections that occurred earlier this year, the Assembly Democratic Conference is 107 members strong, with only 43 individuals in the Republican Conference. The Assembly Democrats were expected to slightly increase that control; however as of Wednesday morning it appears that the size of the conferences will remain the same. The Democrats continue to hold a veto-proof majority.

Greenberg Traurig's [Government Law and Policy Practice](#) is available to assist with any questions regarding the New York State elections, and what this may mean for the upcoming legislative session. Greenberg Traurig has a broad range of experience in New York City and State, and provides advice to some of the world's leading corporations, lobbying firms, public officials, candidates, advocacy organizations, and others who seek to navigate New York's complex political law compliance requirements.

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**NOTE: This information is correct as of Wednesday, Nov. 9, 2016, and recounts are ongoing. For updated result statistics, please visit the [New York State Board of Elections website](#).**

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