

STATE OF NEW YORK

9135

IN SENATE

July 13, 2018

Introduced by Sen. AKSHAR -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 4 of article 4 of the constitution, in relation to requiring the governor to publicize the criteria used when granting a commutation, pardon or reprieve

1 Section 1. Resolved (if the Assembly concur), That section 4 of arti-
2 cle 4 of the constitution be amended to read as follows:

3 § 4. The governor shall have the power to grant reprieves, commu-
4 tations and pardons after conviction, for all offenses except treason
5 and cases of impeachment, upon such conditions and with such
6 restrictions and limitations, as he or she may think proper, subject to
7 such regulations as may be provided by law relative to the manner of
8 applying for pardons. Upon conviction for treason, the governor shall
9 have power to suspend the execution of the sentence, until the case
10 shall be reported to the legislature at its next meeting, when the
11 legislature shall either pardon, or commute the sentence, direct the
12 execution of the sentence, or grant a further reprieve. The governor
13 shall [~~annually~~] within thirty days communicate to the legislature each
14 case of reprieve, commutation or pardon granted, stating the name of the
15 convict, the crime of which the convict was convicted, the sentence and
16 its date, the standards or criteria used in granting such commutation,
17 pardon or reprieve, and the date of the commutation, pardon or reprieve.

18 § 2. Resolved (if the Assembly concur), That the foregoing amendment
19 be referred to the first regular legislative session convening after the
20 next succeeding general election of members of the assembly, and, in
21 conformity with section 1 of article 19 of the constitution, be
22 published for 3 months previous to the time of such election.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[~~-~~] is old law to be omitted.

LBD89150-01-8