

STATE OF NEW YORK

5785

2025-2026 Regular Sessions

IN ASSEMBLY

February 20, 2025

Introduced by M. of A. BUTTENSCHON -- read once and referred to the
Committee on Governmental Operations

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 1 of article 4 of the constitution, in
relation to term limits for the office of governor and lieutenant-gov-
ernor; and proposing an amendment to section 1 of article 5 of the
constitution, in relation to term limits for the offices of comp-
troller and attorney-general

1 Section 1. Resolved (if the Senate concur), That section 1 of article
2 4 of the constitution be amended to read as follows:

3 Section 1. (a) The executive power shall be vested in the governor,
4 who shall hold office for four years; the lieutenant-governor shall be
5 chosen at the same time, and for the same term. The governor and lieu-
6 tenant-governor shall be chosen at the general election held in the year
7 nineteen hundred thirty-eight, and each fourth year thereafter. They
8 shall be chosen jointly, by the casting by each voter of a single vote
9 applicable to both offices, and the legislature by law shall provide for
10 making such choice in such manner. The respective persons having the
11 highest number of votes cast jointly for them for governor and lieuten-
12 ant-governor respectively shall be elected.

13 (b) No person shall be elected to the office of the governor more than
14 three times. Provided, however, any term already served by a sitting
15 governor prior to the amendments to this section being approved and
16 ratified by the people and coming into effect shall be excluded from the
17 limits on service set forth by this section. Provided, further, that a
18 person who has been thrice elected to the office of governor and who is
19 in the line of succession to such office, pursuant to section six of
20 this article, shall be passed over in the line of succession and the
21 next person in the line of succession shall act as governor.

22 (c) No person shall be elected to the office of the lieutenant-gover-
23 nor more than three times. Provided, however, any term already served by
24 a sitting lieutenant-governor prior to the amendments to this section

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

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1 being approved and ratified by the people and coming into effect shall
2 be excluded from the limits on service set forth by this section.
3 Provided, further, that a person who has been thrice elected to the
4 office of lieutenant-governor and who is in the line of succession to
5 such office, pursuant to section six of this article, shall be passed
6 over in the line of succession and the next person in the line of
7 succession shall act as lieutenant-governor.

8 § 2. Resolved (if the Senate concur), That section 1 of article 5 of
9 the constitution be amended to read as follows:

10 Section 1. The comptroller and attorney-general shall be chosen at the
11 same general election as the governor and hold office for the same term,
12 and shall possess the qualifications provided in section 2 of article
13 IV. The legislature shall provide for filling vacancies in the office of
14 comptroller and of attorney-general. No election of a comptroller or an
15 attorney-general shall be had except at the time of electing a governor.

16 No person shall be elected to the office of comptroller or attorney-gen-
17 eral who has previously been elected to such office more than three
18 times, provided, however, any term already served by a sitting comp-
19 troller or attorney-general prior to the amendments to this section
20 being approved and ratified by the people and coming into effect shall
21 be excluded from the limits on service set forth by this section. The

22 comptroller shall be required: (1) to audit all vouchers before payment
23 and all official accounts; (2) to audit the accrual and collection of
24 all revenues and receipts; and (3) to prescribe such methods of account-
25 ing as are necessary for the performance of the foregoing duties. The
26 payment of any money of the state, or of any money under its control, or
27 the refund of any money paid to the state, except upon audit by the
28 comptroller, shall be void, and may be restrained upon the suit of any
29 taxpayer with the consent of the supreme court in appellate division on
30 notice to the attorney-general. In such respect the legislature shall
31 define the powers and duties and may also assign to ~~[him or her]~~ the
32 comptroller: (1) supervision of the accounts of any political subdivi-
33 sion of the state; and (2) powers and duties pertaining to or connected
34 with the assessment and taxation of real estate, including determination
35 of ratios which the assessed valuation of taxable real property bears to
36 the full valuation thereof, but not including any of those powers and
37 duties reserved to officers of a county, city, town or village by virtue
38 of ~~[sections seven and eight]~~ section one of article nine and section
39 thirteen of article thirteen of this constitution. The legislature shall
40 assign to ~~[him or her]~~ the comptroller no administrative duties, except-
41 ing such as may be incidental to the performance of these functions, any
42 other provision of this constitution to the contrary notwithstanding.

43 § 3. Resolved (if the Senate concur), That the foregoing be referred
44 to the first regular legislative session convening after the next
45 succeeding general election of members of the assembly, and, in conform-
46 ity with section 1 of article 19 of the constitution, be published for 3
47 months previous to the time of such election.