

1 S 3. NO INITIATIVE OR REFERENDUM MEASURE MAY BE PROPOSED WHICH IS
2 BEYOND THE REACH OF THE STATE LEGISLATURE ITSELF; OR THE OPERATION OF
3 WHICH IS RESTRICTED TO A PARTICULAR TOWN, CITY, OR OTHER POLITICAL
4 SUBDIVISION WHICH IS NOT STATEWIDE; OR NAMING ANY PERSON TO HOLD PUBLIC
5 OFFICE; OR ABOLISHING A STATE AGENCY; OR APPROPRIATING SPECIFIC SUMS OF
6 MONEY FROM THE TREASURY.

7 S 4. AN INITIATIVE OR REFERENDUM MEASURE EMBRACING MORE THAN ONE
8 SUBJECT MAY NOT BE SUBMITTED TO THE ATTORNEY GENERAL NOR HAVE ANY
9 EFFECT.

10 S 5. AN INITIATIVE OR REFERENDUM PETITION SHALL BE PROPOSED BY AT
11 LEAST TWO HUNDRED FIFTY SPONSORS WHO ARE REGISTERED VOTERS IN THE STATE
12 OF NEW YORK. ONE SPONSOR SHALL BE DESIGNATED CHAIRPERSON BY THE PETI-
13 TIONING COMMITTEE AND SHALL REPRESENT THE COMMITTEE. NO SOONER THAN
14 JANUARY FIRST OF THE YEAR PRECEDING THE CONVENING OF THE LEGISLATIVE
15 SESSION IN WHICH THE MEASURE WILL BE INTRODUCED, THE PROPOSAL SHALL BE
16 SUBMITTED TO THE ATTORNEY GENERAL. THE ATTORNEY GENERAL SHALL RENDER AN
17 OPINION AS TO ITS CONSTITUTIONALITY IF A STATUTE, OR ITS EFFECT UPON
18 OTHER PROVISIONS OF THE CONSTITUTION IF AN AMENDMENT AND ALSO RENDER HIS
19 OR HER ADVICE AS TO THE FORM OF THE PROPOSED MEASURE AND AS TO ITS SUIT-
20 ABILITY TO ACCOMPLISH ITS PURPOSE. HE OR SHE SHALL ALSO CERTIFY THAT THE
21 MEASURE IS NOT SUBSTANTIALLY THE SAME IN CONTENT OR INTENT AS ANY MEAS-
22 URE WHICH HAS BEEN QUALIFIED FOR SUBMITTAL TO THE VOTERS IN LIKE MANNER
23 AT EITHER OF THE TWO PRECEDING BIENNIAL STATE ELECTIONS, AND THAT IT
24 CONTAINS ONLY SUBJECTS NOT EXCLUDED FROM THE POPULAR INITIATIVE OR
25 REFERENDUM. THE ATTORNEY GENERAL'S DETERMINATION SHALL BE MADE WITHIN
26 THIRTY DAYS AFTER RECEIPT OF SAME. THE MEASURE SHALL THEN BE SUBMITTED
27 TO THE SECRETARY OF STATE FOR APPROVAL OF FORM AND PREPARATION OF A
28 PETITION TITLE REPRESENTING THE INTENT OF THE PROPOSAL. THE SECRETARY
29 OF STATE SHALL PREPARE, IN CONSULTATION WITH THE CHAIRPERSON OF THE
30 SPONSORING COMMITTEE, AN UNBIASED, NON-ARGUMENTATIVE SUMMARY OF THE
31 PROPOSAL NOT TO EXCEED ONE HUNDRED WORDS WHICH SHALL APPEAR ON THE
32 PETITIONS. THE SECRETARY OF STATE SHALL PROVIDE BLANKS CONTAINING THE
33 SUMMARY OF THE PROPOSED MEASURE FOR THE USE OF SUBSEQUENT SIGNERS.
34 ACTION BY THE SECRETARY OF STATE SHALL BE COMPLETED WITHIN THIRTY DAYS
35 OF RECEIPT OF THE PETITION FROM THE ATTORNEY GENERAL.

36 S 6. THE PETITIONING COMMITTEE ASSUMES FULL RESPONSIBILITY FOR THE
37 CIRCULATION OF THE PETITIONS. ONLY REGISTERED VOTERS OF NEW YORK STATE
38 MAY CARRY OR SIGN PETITIONS. PETITION BEARERS SHALL CARRY A COPY OF THE
39 FULL TEXT OF THE INITIATIVE OR REFERENDUM. PETITIONS SHALL BE CIRCULATED
40 TO OBTAIN SIGNATURES OF ELECTORS EQUAL IN NUMBER TO SIX PERCENT OF THE
41 ELECTORS WHO VOTED FOR GOVERNOR IN THE LAST GUBERNATORIAL ELECTION IF
42 THE MEASURE IS A STATUTE, OR EIGHT PERCENT IF THE MEASURE AMENDS THE
43 CONSTITUTION. NO MORE THAN FIVE PERCENT OF THE REQUIRED NUMBER OF SIGNA-
44 TURES SHALL COME FROM ANY ONE COUNTY OF THE STATE. THE PETITIONS SHALL
45 BE FILED WITH THE SECRETARY OF STATE AT LEAST TEN DAYS BEFORE THE LEGIS-
46 LATURE CONVENES AT THE BEGINNING OF ITS ANNUAL SESSION. THE SECRETARY OF
47 STATE SHALL SUBMIT THE MEASURE TO BOTH HOUSES OF THE LEGISLATURE WITHIN
48 THIRTY DAYS OF RECEIPT OF SAME, FOLLOWING CERTIFICATION OF SIGNATURES IN
49 A LIKE MANNER AS EMPLOYED IN CERTIFYING THOSE OF AN INDEPENDENT CANDI-
50 DATE FOR STATEWIDE OFFICE. THE LEGISLATURE SHALL PROVIDE THE MANNER IN
51 WHICH PETITIONS SHALL BE CIRCULATED, PRESENTED AND CERTIFIED, AND MEAS-
52 URES SUBMITTED TO THE ELECTORS WITHIN A TWO YEAR PASSAGE OF THIS AMEND-
53 MENT TO THE CONSTITUTION.

54 S 7. IF THE MEASURE INTRODUCED BY INITIATIVE OR REFERENDUM IS A STAT-
55 UTE AND IS PASSED BY BOTH HOUSES OF THE LEGISLATURE AND APPROVED BY THE
56 GOVERNOR IT SHALL BECOME A LAW; HOWEVER, THE GOVERNOR MAY VETO THE MEAS-

1 URE. BOTH HOUSES OF THE LEGISLATURE MUST PASS THE MEASURE WITHIN SIX
2 MONTHS AFTER RECEIPT OF THE MEASURE FROM THE SECRETARY OF STATE OR OVER-
3 RIDE A GUBERNATORIAL VETO OF THE MEASURE WITHIN THE SAME TIME PERIOD. IF
4 THE LEGISLATURE FAILS TO DO SO THE SECRETARY OF STATE SHALL SUBMIT THE
5 MEASURE TO THE VOTERS AT THE NEXT GENERAL ELECTION IF SUCH SUBMISSION
6 SHALL BE DEMANDED BY A SUPPLEMENTARY PETITION CERTIFIED TO HAVE BEEN
7 SIGNED BY ELECTORS IN EQUAL NUMBER TO ONE PER CENTUM OF THE NUMBER OF
8 VOTES CAST FOR ALL CANDIDATES FOR GOVERNOR AT THE LAST GUBERNATORIAL
9 ELECTION AND FILED WITH THE SECRETARY OF STATE WITHIN ONE HUNDRED TWENTY
10 DAYS AFTER SUCH PROPOSED LAW OR REFERENDUM SHALL HAVE BEEN REJECTED OR
11 PASSED IN AN AMENDED FORM BY THE LEGISLATURE OR AFTER THE EXPIRATION OF
12 SUCH TERM OF FOUR MONTHS, IF NO ACTION HAS BEEN TAKEN THEREON. NO ELEC-
13 TOR SHALL BE DISQUALIFIED FROM SIGNING SUCH SUPPLEMENTARY PETITION BY
14 REASON OF HAVING FIRST SIGNED THE PETITION AS HEREINBEFORE PROVIDED IN
15 THIS SECTION. IF THE MEASURE IS AMENDED BY THE LEGISLATURE AND PASSES
16 BOTH HOUSES BOTH THE AMENDED MEASURE AND THE ORIGINAL MEASURE SHALL BE
17 PUT ON THE BALLOT. THE ELECTORS MAY CHOOSE ONE OR REJECT BOTH.

18 S 8. IF THE MEASURE IS A CONSTITUTIONAL AMENDMENT IT SHALL BE SUBMIT-
19 TED TO THE LEGISLATURE FOR PASSAGE. IF THE MEASURE FAILS TO PASS EITHER
20 HOUSE OF THE LEGISLATURE IN ITS ORIGINAL FORM, IN THE TWO YEAR TERM IN
21 WHICH IT IS FIRST INTRODUCED, OR, IF THE MEASURE IN ITS ORIGINAL FORM
22 FAILS TO PASS EITHER HOUSE OF THE NEXT SEPARATELY ELECTED LEGISLATURE IN
23 EITHER YEAR OF ITS TWO YEAR TERM AFTER HAVING BEEN PASSED BY THE PREVI-
24 OUSLY ELECTED LEGISLATURE, THE PETITIONING COMMITTEE SHALL PRESENT TO
25 THE SECRETARY OF STATE WITHIN NINETY DAYS OF A NEGATIVE VOTE OF EITHER
26 HOUSE ON THE PROPOSED MEASURE OR UPON ADJOURNMENT WITHOUT ACTION ON THE
27 PROPOSED MEASURE AN ADDITIONAL NUMBER OF SIGNATURES, WHICH MAY OR MAY
28 NOT BE DUPLICATES OF THE SIGNATURES ON THE ORIGINAL PETITION, EQUAL TO
29 FOUR PERCENT OF THOSE VOTING IN THE LAST GUBERNATORIAL ELECTION, WITH NO
30 MORE THAN FIVE PERCENT OF THESE COMING FROM ANY ONE COUNTY OF THE STATE.
31 UPON RECEIPT OF THE ADDITIONAL SIGNATURES THE SECRETARY OF STATE SHALL
32 HAVE FIFTEEN DAYS TO CERTIFY THEIR VALIDITY. HE OR SHE SHALL THEN SUBMIT
33 THE MEASURE TO THE VOTERS AT THE NEXT GENERAL ELECTION, PROVIDED THAT
34 THE SAID ELECTION IS TO BE HELD MORE THAN FOUR WEEKS FOLLOWING FILING OF
35 THE ADDITIONAL SIGNATURES TO THE SECRETARY OF STATE.

36 S 9. INITIATIVE AND REFERENDUM MEASURES MAY NOT BE REPEALED BY THE
37 LEGISLATURE FOR A PERIOD OF TWO YEARS EXCEPT BY A TWO-THIRDS VOTE OF
38 BOTH HOUSES OR UNLESS SUCH LAW OR REFERENDUM PERMITS AMENDMENT OR REPEAL
39 SUBJECT TO THE APPROVAL OF THE ELECTORS OR WITHOUT THE APPROVAL OF THE
40 ELECTORS.

41 S 10. IF IN THE OPINION OF THE ATTORNEY GENERAL, ANY TWO INITIATIVE OR
42 REFERENDUM MEASURES APPROVED BY THE PEOPLE IN THE SAME ELECTION ARE IN
43 CONFLICT, THE ONE HAVING THE HIGHER NUMBER OF AFFIRMATIVE VOTES AT SUCH
44 ELECTION SHALL GOVERN. A CONSTITUTIONAL AMENDMENT APPROVED AT ANY
45 ELECTION SHALL GOVERN ANY LAW APPROVED AT THE SAME ELECTION.

46 S 11. AN INITIATIVE OR REFERENDUM MEASURE APPROVED BY A MAJORITY OF
47 THE VOTES CAST THEREON SHALL TAKE EFFECT ONE DAY AFTER THE DATE OF THE
48 CANVASS OF SUCH VOTE BECOMES OFFICIAL UNLESS THE MEASURE PROVIDES
49 OTHERWISE.

50 S 2. Resolved (if the Senate concur), That the foregoing amendment be
51 referred to the first regular legislative session convening after the
52 next succeeding general election of members of the assembly, and, in
53 conformity with section 1 of article 19 of the constitution, be
54 published for 3 months previous to the time of such election.