

9127

2009-2010 Regular Sessions

I N A S S E M B L Y

September 4, 2009

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

AN ACT to amend the executive law, in relation to the transfer of power
upon a voluntary declaration by the governor of his or her inability
to govern

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The executive law is amended by adding a new section 3-a to
2 read as follows:
3 S 3-A. DECLARATION OF INABILITY TO GOVERN. WHENEVER THE GOVERNOR TRAN-
4 SMITS TO THE CHIEF JUDGE OF THE COURT OF APPEALS, THE LIEUTENANT-GOVER-
5 NOR, THE TEMPORARY PRESIDENT OF THE SENATE, THE SPEAKER OF THE ASSEMBLY,
6 THE MINORITY LEADER OF THE SENATE, AND THE MINORITY LEADER OF THE ASSEM-
7 BLY A WRITTEN DECLARATION OF INABILITY TO DISCHARGE THE POWERS AND
8 DUTIES OF THE OFFICE OF GOVERNOR, AND UNTIL THE GOVERNOR THEREAFTER
9 TRANSMITS TO THEM A WRITTEN DECLARATION TO THE CONTRARY, SUCH POWERS AND
10 DUTIES SHALL BE DISCHARGED BY THE LIEUTENANT-GOVERNOR OR OTHER PERSON
11 NEXT IN LINE OF SUCCESSION, AS ACTING GOVERNOR.
12 S 2. This act shall take effect immediately.

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

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