

1 WHICH IS RESTRICTED TO A PARTICULAR TOWN, CITY, OR OTHER POLITICAL
2 SUBDIVISION WHICH IS NOT STATEWIDE; OR NAMING ANY PERSON TO HOLD PUBLIC
3 OFFICE; OR ABOLISHING A STATE AGENCY; OR APPROPRIATING SPECIFIC SUMS OF
4 MONEY FROM THE TREASURY.

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

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

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

52 S 7. IF THE MEASURE INTRODUCED BY INITIATIVE OR REFERENDUM IS A STAT-
53 UTE AND IS PASSED BY BOTH HOUSES OF THE LEGISLATURE AND APPROVED BY THE
54 GOVERNOR IT SHALL BECOME A LAW; HOWEVER, THE GOVERNOR MAY VETO THE MEAS-
55 URE. BOTH HOUSES OF THE LEGISLATURE MUST PASS THE MEASURE WITHIN SIX
56 MONTHS AFTER RECEIPT OF THE MEASURE FROM THE SECRETARY OF STATE OR OVER-

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

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

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

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

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

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