STATE OF NEW YORK

8802

2017-2018 Regular Sessions

IN ASSEMBLY

November 27, 2017

Introduced by M. of A. LENTOL -- read once and referred to the Committee on Judiciary

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing amendments to article 6 of the constitution, in relation to increasing the number of judicial departments

Section 1. Resolved (if the Senate concur), That subdivisions a and b of section 4 of article 6 of the constitution be amended to read as follows:

a. The state shall be divided into [~~four~~] five judicial departments. The first department shall consist of the counties within the first judicial district of the state. The second department north shall consist of the counties within the [~~second,~~] ninth[~~, tenth and eleventh~~] judicial [~~districts~~] district of the state. The second department south shall consist of the counties within the second, tenth and eleventh judicial districts of the state. The third department shall consist of the counties within the third, fourth and sixth judicial districts of the state. The fourth department shall consist of the counties within the fifth, seventh and eighth judicial districts of the state. Each department shall be bounded by the lines of judicial districts. Once every ten years the legislature may alter the boundaries of the judicial departments, but without changing the number thereof.

b. The appellate divisions of the supreme court are continued, and shall consist of seven justices of the supreme court in each of the first and second departments north and south, and five justices in each of the other departments. In each appellate division, four justices shall constitute a quorum, and the concurrence of three shall be necessary to a decision. No more than five justices shall sit in any case.

§ 2. Resolved (if the Senate concur), That the foregoing amendment be referred to the first legislative session convening after the next succeeding general election of members of the assembly, and in conformity with section 1 of article 19 of the constitution, be 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.

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