STATE OF NEW YORK

2463

2019-2020 Regular Sessions

IN SENATE

January 25, 2019

Introduced by Sens. AKSHAR, AMEDORE, BOYLE, HELMING, LAVALLE, O'MARA, ORTT, RANZENHOFER, ROBACH, SEWARD, TEDISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 4 of article 4 of the constitution, in relation to requiring the governor to publicize the criteria used when granting a commutation, pardon or reprieve

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

§ 4. The governor shall have the power to grant reprieves, commutations and pardons after conviction, for all offenses except treason and cases of impeachment, upon such conditions and with such restrictions and limitations, as he or she may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. Upon conviction for treason, the governor shall have power to suspend the execution of the sentence, until the case shall be reported to the legislature at its next meeting, when the legislature shall either pardon, or commute the sentence, direct the execution of the sentence, or grant a further reprieve. The governor shall [~~annually~~] **within thirty days** communicate to the legislature each case of reprieve, commutation or pardon granted, stating the name of the convict, the crime of which the convict was convicted, the sentence and its date, **the standards or criteria used in granting such commutation, pardon or reprieve,** and the date of the commutation, pardon or reprieve.

§ 2. Resolved (if the Assembly concur), That the foregoing amendment be referred to the first regular 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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