

# STATE OF NEW YORK

5788

2021-2022 Regular Sessions

## IN ASSEMBLY

February 25, 2021

Introduced by M. of A. PALMESANO, BLANKENBUSH, BRABENEC, DeSTEFANO, FRIEND, MANKTELOW, B. MILLER, MONTESANO, MORINELLO, NORRIS, RA, REILLY, SALKA, WALCZYK -- Multi-Sponsored by -- M. of A. ASHBY, BARCLAY, BYRNES, DiPIETRO, J. M. GIGLIO, HAWLEY, LALOR, McDONOUGH, M. MILLER, SAYEGH, SMITH, WALSH -- read once and referred to the Committee on Governmental Operations

### CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 14 of article 3 of the constitution, in relation to the procedure for voting increases in the rate of state taxes

1 Section 1. Resolved (if the Senate concur), That section 14 of article  
2 3 of the constitution be amended to read as follows:  
3 § 14. No bill shall be passed or become a law unless it shall have  
4 been printed and upon the desks of the members, in its final form, at  
5 least three calendar legislative days prior to its final passage, unless  
6 the governor, or the acting governor, shall have certified, under his or  
7 her hand and the seal of the state, the facts which in his or her opin-  
8 ion necessitate an immediate vote thereon, in which case it must never-  
9 theless be upon the desks of the members in final form, not necessarily  
10 printed, before its final passage; nor shall any bill, except as  
11 provided herein, be passed or become a law, except by the assent of a  
12 majority of the members elected to each branch of the legislature; nor  
13 shall any bill which increases, extends, imposes, or revives any tax,  
14 fee, assessment, surcharge or any other such levy or collection, except  
15 any bill which results from the passage of a home rule message pursuant  
16 to section two of article nine of this constitution, be passed or become  
17 a law, except by the assent of two-thirds of the members elected to each  
18 branch of the legislature voting separately; and upon the last reading  
19 of a bill, no amendment thereof shall be allowed, and the question upon  
20 its final passage shall be taken immediately thereafter, and the ayes  
21 and nays entered on the journal.

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

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1 For purposes of this section, a bill shall be deemed to be printed and  
2 upon the desks of the members if: it is set forth in a legible electron-  
3 ic format by electronic means, and it is available for review in such  
4 format at the desks of the members. For purposes of this section "elec-  
5 tronic means" means any method of transmission of information between  
6 computers or other machines designed for the purpose of sending and  
7 receiving such transmissions and which: allows the recipient to  
8 reproduce the information transmitted in a tangible medium of  
9 expression; and does not permit additions, deletions or other changes to  
10 be made without leaving an adequate record thereof.

11 § 2. Resolved (if the Senate concur), That the foregoing amendment be  
12 referred to the first regular legislative session convening after the  
13 next succeeding general election of members of the assembly, and, in  
14 conformity with section 1 of article 19 of the constitution, be  
15 published for 3 months previous to the time of such election.