

# STATE OF NEW YORK

7217

2021-2022 Regular Sessions

## IN SENATE

June 7, 2021

Introduced by Sen. SERINO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

### CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 24 of article 6 of the constitution, in relation to jurors during impeachment of the governor

1 Section 1. Resolved (if the Assembly concur), That section 24 of arti-  
2 cle 6 of the constitution be amended to read as follows:  
3 § 24. The assembly shall have the power of impeachment by a vote of a  
4 majority of all the members elected thereto. The court for the trial of  
5 impeachments shall be composed of the president of the senate, the  
6 senators, or the major part of them, and the judges of the court of  
7 appeals, or the major part of them. On the trial of an impeachment  
8 against the governor or lieutenant-governor, neither the lieutenant-gov-  
9 ernor nor the temporary president of the senate shall act as a member of  
10 the court, additionally, on the trial of impeachment against the gover-  
11 nor, no judge of the court of appeals appointed by the sitting governor  
12 shall act as a member of the court. No judicial officer shall exercise  
13 his or her office after articles of impeachment against him or her shall  
14 have been preferred to the senate, until he or she shall have been  
15 acquitted. Before the trial of an impeachment, the members of the court  
16 shall take an oath or affirmation truly and impartially to try the  
17 impeachment according to the evidence, and no person shall be convicted  
18 without the concurrence of two-thirds of the members present. Judgment  
19 in cases of impeachment shall not extend further than to removal from  
20 office, or removal from office and disqualification to hold and enjoy  
21 any public office of honor, trust, or profit under this state; but the  
22 party impeached shall be liable to indictment and punishment according  
23 to law.  
24 § 2. Resolved (if the Assembly concur), That the foregoing amendment  
25 be referred to the first regular legislative session convening after  
26 the next succeeding general election of members of the assembly, and,  
27 in conformity with section 1 of article 19 of the constitution, be  
28 published for three 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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