STATE OF NEW YORK

4723

2023-2024 Regular Sessions

IN ASSEMBLY

February 23, 2023

Introduced by M. of A. MCGOWAN -- 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 prohibiting the passage of bills between the hours of midnight and eight o'clock a.m. and requiring two-thirds approval for messages of necessity

Section 1. Resolved (if the Senate concur), That section 14 of article 3 of the constitution be amended to read as follows:

§ 14. No bill shall be passed or become a law**:**

a. unless it shall have been printed and upon the desks of the members, in its final form, at least three calendar legislative days prior to its final passage, unless the governor, or the acting governor, shall have certified, under his or her hand and the seal of the state, the facts which in his or her opinion necessitate an immediate vote thereon **and two-thirds of the members elected to each branch of the legislature assent to such facts that necessitate such immediate vote**, in which case it must nevertheless be upon the desks of the members in final form, not necessarily printed, before its final passage; [**nor shall any bill be passed or become a law,**]

b. except by the assent of a majority of the members elected to each branch of the legislature;

c. between the hours of midnight and eight o'clock a.m.; provided, however that this provision may be waived upon the assent of two-thirds of the members elected to each branch of the legislature; and

d. upon the last reading of a bill, no amendment thereof shall be allowed, and the question upon its final passage shall be taken immediately thereafter, and the ayes and nays entered on the journal.

For purposes of this section, a bill shall be deemed to be printed and upon the desks of the members if: it is set forth in a legible electronic format by electronic means, and it is available for review in such format at the desks of the members. For purposes of this section "elec-

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

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tronic means" means any method of transmission of information between computers or other machines designed for the purpose of sending and receiving such transmissions and which: allows the recipient to reproduce the information transmitted in a tangible medium of expression; and does not permit additions, deletions or other changes to be made without leaving an adequate record thereof.

§ 2. Resolved (if the Senate concur), That the foregoing 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.