

# STATE OF NEW YORK

3464

2023-2024 Regular Sessions

## IN ASSEMBLY

February 3, 2023

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

### CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 1 of article 4 of the constitution, in relation to decreasing the length of the term of office for the governor and lieutenant-governor to two years; and proposing an amendment to section 1 of article 5 of the constitution, in relation to the length of the term for the comptroller and attorney general

1 Section 1. Resolved (if the Senate concur), That section 1 of article  
2 4 of the constitution be amended to read as follows:

3 Section 1. The executive power shall be vested in the governor, who  
4 shall hold office for [~~four~~ two] years; the lieutenant-governor shall be  
5 chosen at the same time, and for the same term. The governor and lieu-  
6 tenant-governor shall be chosen at the general election held in the year  
7 [~~nineteen hundred thirty-eight~~ two thousand twenty-six], and each  
8 [~~fourth~~ second] year thereafter. They shall be chosen jointly, by the  
9 casting by each voter of a single vote applicable to both offices, and  
10 the legislature by law shall provide for making such choice in such  
11 manner. The respective persons having the highest number of votes cast  
12 jointly for them for governor and lieutenant-governor respectively shall  
13 be elected.

14 § 2. Resolved (if the Senate concur), That section 1 of article 5 of  
15 the constitution be amended to read as follows:

16 Section 1. The comptroller and attorney-general shall be chosen at the  
17 same general election as the governor and hold office for [~~the same~~  
18 ~~term~~ four years], and shall possess the qualifications provided in  
19 section 2 of article IV. The legislature shall provide for filling  
20 vacancies in the office of comptroller and of attorney-general. No  
21 election of a comptroller or an attorney-general shall be had except at  
22 the time of electing a governor. The comptroller shall be required: (1)  
23 to audit all vouchers before payment and all official accounts; (2) to  
24 audit the accrual and collection of all revenues and receipts; and (3)

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

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1 to prescribe such methods of accounting as are necessary for the  
2 performance of the foregoing duties. The payment of any money of the  
3 state, or of any money under its control, or the refund of any money  
4 paid to the state, except upon audit by the comptroller, shall be void,  
5 and may be restrained upon the suit of any taxpayer with the consent of  
6 the supreme court in appellate division on notice to the attorney-gener-  
7 al. In such respect the legislature shall define the powers and duties  
8 and may also assign to him or her: (1) supervision of the accounts of  
9 any political subdivision of the state; and (2) powers and duties  
10 pertaining to or connected with the assessment and taxation of real  
11 estate, including determination of ratios which the assessed valuation  
12 of taxable real property bears to the full valuation thereof, but not  
13 including any of those powers and duties reserved to officers of a coun-  
14 ty, city, town or village by virtue of [~~sections seven and eight~~]  
15 section one of article nine and section thirteen of article thirteen of  
16 this constitution. The legislature shall assign to him or her no admin-  
17 istrative duties, excepting such as may be incidental to the performance  
18 of these functions, any other provision of this constitution to the  
19 contrary notwithstanding.

20 § 3. Resolved (if the Senate concur), That the foregoing be referred  
21 to the first regular legislative session convening after the next  
22 succeeding general election of members of the assembly, and, in conform-  
23 ity with section 1 of article 19 of the constitution, be published for 3  
24 months previous to the time of such election.