

STATE OF NEW YORK

9094

IN ASSEMBLY

February 7, 2024

Introduced by M. of A. BUTTENSCHON -- read once and referred to the
Committee on Governmental Operations

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to article 4 of the constitution, in relation to
the filling of vacancies in the office of lieutenant-governor or
governor

1 Section 1. Resolved (if the Senate concur), That section 6 of article
2 4 of the constitution be amended by adding new fourth, seventh, eighth,
3 and ninth undesignated paragraphs to read as follows:

4 In case of vacancy in the office of lieutenant-governor alone, due to
5 death, resignation, removal from office, or ascension to governor, the
6 office of lieutenant-governor shall be filled for the remainder of the
7 term by appointment of the governor within forty-five days of such
8 vacancy, death, resignation, removal from office, or ascension, subject
9 to confirmation by a majority vote in the senate and a majority vote in
10 the assembly to be held within forty-five days of such appointment. In
11 the event that the lieutenant-governor appointee nominated by the gover-
12 nor is not approved by a majority vote in the senate or the assembly,
13 then the governor shall make a new nomination for the office of lieuten-
14 ant-governor within thirty days of such vote and shall be subject to
15 confirmation by a majority vote in the senate and a majority vote in the
16 assembly to be held within thirty days of such appointment.

17 If, when the duty of acting as governor devolves upon the speaker of
18 the assembly, there be a vacancy in such office or the speaker of the
19 assembly shall be absent from the state or otherwise unable to discharge
20 the duties of governor, the comptroller shall act as governor during
21 such vacancy or inability.

22 If, when the duty of acting as governor devolves upon the comptroller,
23 there be a vacancy in such office or the comptroller shall be absent
24 from the state or otherwise unable to discharge the duties of governor,
25 the attorney general shall act as governor during such vacancy or
26 inability.

27 If, when the duty of acting as governor devolves upon the attorney
28 general, there be a vacancy in such office or the attorney general shall
29 be absent from the state or otherwise unable to discharge the duties of

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

LBD89127-01-4

1 governor, the secretary of state shall act as governor during such
2 vacancy or inability.
3 § 2. Resolved (if the Senate concur), That the foregoing amendment be
4 referred to the first regular legislative session convening after the
5 next succeeding general election of members of the assembly, and, in
6 conformity with section 1 of article 19 of the constitution, be
7 published for 3 months previous to the time of such election.