STATE OF NEW YORK

1438

2023-2024 Regular Sessions

IN SENATE

January 11, 2023

Introduced by Sens. GRIFFO, BORRELLO -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to article 4 of the constitution, relating to the lieutenant-governor acting as governor

Section 1. Resolved (if the Assembly concur), That the third undesignated paragraph of section 5 of article 4 of the constitution be amended to read as follows:

In case the governor is impeached[~~, is absent from the state~~] or is otherwise unable to discharge the powers and duties of the office of governor, the lieutenant-governor shall act as governor until the inability shall cease or until the term of the governor shall expire.

§ 2. Resolved (if the Assembly concur), That the third, fourth and fifth undesignated paragraphs of section 6 of article 4 of the constitution be amended to read as follows:

In case of vacancy in the offices of both governor and lieutenant-governor or if both of them shall be impeached[~~, absent from the state~~] or otherwise unable to discharge the powers and duties of the office of governor, the temporary president of the senate shall act as governor until the inability shall cease or until a governor shall be elected.

In case of vacancy in the office of lieutenant-governor alone, or if the lieutenant-governor shall be impeached[~~, absent from the state~~] or otherwise unable to discharge the duties of office, the temporary president of the senate shall perform all the duties of lieutenant-governor during such [~~vacancy or~~] inability.

If, when the duty of acting as governor devolves upon the temporary president of the senate, there be a vacancy in such office or the temporary president of the senate shall be [~~absent from the state or~~] otherwise unable to discharge the duties of governor, the speaker of the assembly shall act as governor during such [~~vacancy or~~] inability.

§ 3. Resolved (if the Assembly concur), That the foregoing amendment be referred to the first regular legislative session convening after the

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

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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.