STATE OF NEW YORK

9610

IN SENATE

March 30, 2026

Introduced by Sen. LANZA -- 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 13 of the constitution, in relation to requiring county clerks and sheriffs in the city of New York be elected

Section 1. Resolved (if the Assembly concur), That paragraph (a) of section 13 of article 13 of the constitution be amended to read as follows:

(a) Except [~~in counties in the city of New York and except~~] as authorized in section one of article nine of this constitution, registers in counties having registers shall be chosen by the electors of the respective counties once in every three years and whenever the occurring of vacancies shall require; the sheriff and the clerk of each county shall be chosen by the electors once in every three or four years as the legislature shall direct. Sheriffs shall hold no other office. They may be required by law to renew their security, from time to time; and in default of giving such new security, their offices shall be deemed vacant. The governor may remove any elective sheriff, county clerk, district attorney or register within the term for which [~~he or she~~] **such officer** shall have been elected; but before so doing the governor shall give to such officer a copy of the charges against [~~him or her~~] **such officer** and an opportunity of being heard in [~~his or her~~] **their** defense. In each county a district attorney shall be chosen by the electors once in every three or four years as the legislature shall direct. The clerk of each county in the city of New York shall [~~be appointed, and be subject to removal, by the appellate division of the supreme court in the judicial department in which the county is located. In~~]**, in** addition to [~~his or her~~] **such clerk's** powers and duties as clerk of the supreme court, [~~he or she~~] shall have power to select, draw, summon and empanel grand and petit jurors in the manner and under the conditions now or hereafter prescribed by law, and shall have such other powers and duties as shall be prescribed by the city from time to time by local law.

§ 2. 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.