

STATE OF NEW YORK

5625

2025-2026 Regular Sessions

IN ASSEMBLY

February 18, 2025

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

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 24 of article 6 of the constitution, in relation to allowing an impeachment proceeding to proceed after the resignation of a person from public office and prohibits such person from holding a future public office

1 Section 1. Resolved (if the Senate concur), That section 24 of article
2 6 of the constitution be amended to read as follows:

3 § 24. The assembly shall have the power of impeachment by a vote of a
4 majority of all the members elected thereto. The court for the trial of
5 impeachments shall be composed of the president of the senate, the
6 senators, or the major part of them, and the judges of the court of
7 appeals, or the major part of them. Where an impeachment and a trial of
8 impeachment may proceed under this section against a person holding
9 office, such impeachment and trial of impeachment may be brought or
10 proceed notwithstanding that such person has resigned from that office.

11 On the trial of an impeachment against the governor or lieutenant-gover-
12 nor, neither the lieutenant-governor nor the temporary president of the
13 senate shall act as a member of the court. No judicial officer shall
14 exercise [~~his or her~~] such judicial officer's office after articles of
15 impeachment against [~~him or her~~] such judicial officer shall have been
16 preferred to the senate, until [~~he or she~~] such judicial officer shall
17 have been acquitted. Before the trial of an impeachment, the members of
18 the court shall take an oath or affirmation truly and impartially to try
19 the impeachment according to the evidence, and no person shall be
20 convicted without the concurrence of two-thirds of the members present.
21 Judgment in cases of impeachment shall not extend further than to
22 removal from office, or removal from office and disqualification to hold
23 and enjoy any public office of honor, trust, or profit under this state,
24 or where a person has resigned from office before final judgment is
25 rendered, disqualification to hold and enjoy any public office of honor,

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

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1 trust, or profit under this state; but the party impeached shall be
2 liable to indictment and punishment according to law.
3 § 2. Resolved (if the Senate concur), That the foregoing be referred
4 to the first regular legislative session convening after the next
5 succeeding general election of members of the assembly, and, in conform-
6 ity with section 1 of article 19 of the constitution, be published for 3
7 months previous to the time of such election.