

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

1 Section 1. Resolved (if the Assembly concur), That paragraph (a) of
2 section 13 of article 13 of the constitution be amended to read as
3 follows:
4 (a) Except [~~in counties in the city of New York and except~~] as author-
5 ized in section one of article nine of this constitution, registers in
6 counties having registers shall be chosen by the electors of the respec-
7 tive counties once in every three years and whenever the occurring of
8 vacancies shall require; the sheriff and the clerk of each county shall
9 be chosen by the electors once in every three or four years as the
10 legislature shall direct. Sheriffs shall hold no other office. They may
11 be required by law to renew their security, from time to time; and in
12 default of giving such new security, their offices shall be deemed
13 vacant. The governor may remove any elective sheriff, county clerk,
14 district attorney or register within the term for which [~~he or she~~] such
15 officer shall have been elected; but before so doing the governor shall
16 give to such officer a copy of the charges against [~~him or her~~] such
17 officer and an opportunity of being heard in [~~his or her~~] their defense.
18 In each county a district attorney shall be chosen by the electors once
19 in every three or four years as the legislature shall direct. The clerk
20 of each county in the city of New York shall [~~be appointed, and be~~
21 ~~subject to removal, by the appellate division of the supreme court in~~
22 ~~the judicial department in which the county is located. In~~], in addition
23 to [~~his or her~~] such clerk's powers and duties as clerk of the supreme
24 court, [~~he or she~~] shall have power to select, draw, summon and empanel
25 grand and petit jurors in the manner and under the conditions now or
26 hereafter prescribed by law, and shall have such other powers and duties
27 as shall be prescribed by the city from time to time by local law.
28 § 2. Resolved (if the Assembly concur), That the foregoing amendment
29 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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1 next succeeding general election of members of the assembly, and, in
2 conformity with section 1 of article 19 of the constitution, be
3 published for 3 months previous to the time of such election.