



STATE OF NEW YORK
STATE BOARD OF ELECTIONS

FORM OF SUBMISSION OF PROPOSAL NUMBER TWO, AN AMENDMENT

Permitting Electronic Distribution of State Legislative Bills

The proposed amendment to section 14 of Article 3 of the State Constitution would allow electronic distribution of a state legislative bill to satisfy the constitutional requirement that a bill be printed and on the desks of state legislators at least three days before the Legislature votes on it. It would establish the following requirements for electronic distribution: first, legislators must be able to review the electronically-sent bill at their desks; second, legislators must be able to print the bill if they choose; and third, the bill cannot be changed electronically without leaving a record of the changes. Shall the proposed amendment be approved?

ABSTRACT OF PROPOSAL NUMBER TWO, AN AMENDMENT

The purpose of this proposal is to allow electronic distribution of a state legislative bill to satisfy the constitutional requirement that a bill be printed and on the desks of state legislators at least three days before the Legislature votes on it. Under the current provisions of the Constitution, this requirement can only be satisfied by distribution of a physical printed copy.

The proposal would amend section 14 of Article 3 of the State Constitution. It would provide that a bill will be considered "printed and upon the desks" of members of the Legislature if, first, it is set forth in a legible electronic format by electronic means, and, second, legislators are able to review the bill in the electronic format at their desks. The proposal would establish that a bill is set forth by "electronic means" when it is sent between computers or other machines designed to send and receive information, the receiving legislators can print the bill if they choose, and the bill cannot be changed without leaving a record of the changes.

TEXT OF PROPOSAL NUMBER TWO, AN AMENDMENT

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 14 of article 3 of the constitution, in relation to the manner of passing bills

Section 1. Resolved (if the Senate concur), That section 14 of article 3 of the constitution be amended to read as follows:

§ 14. No bill shall be passed or become a law unless it shall have been printed and upon the desks of the members, in its final form, at least three calendar legislative days prior to its final passage, unless the governor, or the acting governor, shall have certified, under his or her hand and the seal of the state, the facts which in his or her opinion necessitate an immediate vote thereon, in which case it must nevertheless be upon the desks of the members in final form, not necessarily printed, before its final passage; nor shall any bill be passed or become a law, except by the assent of a majority of the members elected to each branch of the legislature; and upon the last reading of a bill, no amendment thereof shall be allowed, and the question upon its final passage shall be taken immediately thereafter, and the ayes and nays entered on the journal.

For purposes of this section, a bill shall be deemed to be printed and upon the desks of the members if: it is set forth in a legible electronic format by electronic means, and it is available for review in such format at the desks of the members. For purposes of this section "electronic means" means any method of transmission of information between computers or other machines designed for the purpose of sending and receiving such transmissions and which: allows the recipient to reproduce the information transmitted in a tangible medium of expression; and does not permit additions, deletions or other changes to be made without leaving an adequate record thereof.

§ 2. Resolved (if the Senate concur), That the foregoing amendment be submitted to the people for approval at the general election to be held in the year 2014 in accordance with the provisions of the election law.