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New York Constitutional Convention: What Comes Next?

June, 2017

What is a constitutional convention and why do New Yorkers need to know about this?

On November 7, 2017, New York voters will be asked whether the State should hold a convention to revise the State constitution. The New York State Constitution requires that voters be asked this question [every 20 years](#). If a majority of voters say no, nothing happens. If a majority of voters say yes, then there will be an opportunity in 2018 to elect three delegates from each State Senate District and an additional 15 statewide delegates to represent the citizens of New York at the Convention. At the Convention, delegates will propose and vote on changes to the Constitution; delegates also decide the process for considering changes, and even decide whether they will vote piecemeal on proposed changes, or will subject the Constitution as provisionally altered to an all-or-nothing vote. If the delegates ultimately vote for changes to the Constitution, those changes then go to the voters for ratification before the new Constitutional provisions take effect.

Why is this important?

A state constitution is the supreme source of law in a state, and provides the framework for all laws passed and actions taken by the state government, its agencies, and its employees. In contrast to regular legislation, amending a constitution [outside of a convention](#) requires the State Assembly and the State Senate to pass identical resolutions in two successive legislative sessions before the measure is put to the voters. While this has not proven impossible and reportedly [numerous proposed amendments](#) have been passed by both legislative bodies over the years, a convention gives the citizens of New York the opportunity to amend the constitution in a more direct and efficient way, which is particularly important for those areas of reform – such as ethics and anti-corruption reform – that the legislature has been particularly unwilling to tackle.

What about the New York Constitution could change?

The New York Constitution does not limit the subject matter of a constitutional convention. In theory, delegates have the chance to amend the constitution in any way they wish, which could have [far reaching effects](#). For example, the constitution could be modified to impose term limits on public officials, to take away state pensions from officials convicted of criminal misconduct, to revamp New York's antiquated voting laws, or even to legalize marijuana. A modified constitution could also deal with pressing non-partisan issues, like [reforming the State Judiciary](#). The lack of any limit on what could be changed has worried some interest groups, however, who have come out [against](#) the convention.

Why does the Convention matter for public integrity?

The possibility of a Constitutional Convention provides New Yorkers with an opportunity to amend the constitution on issues concerning public integrity that have been stymied by the legislature and the executive branch. Further, given the difficulty of modifying the constitution, such changes would be harder for government officials to roll back.

What comes next?

As November 7, 2017 approaches, reformers and special interest groups will ramp up their appeals to voters on the Constitutional Convention question. Other issues of debate will include [what the ballot will look like](#), and [how delegates will be selected](#) in the event that New Yorkers vote “yes” on the question of whether to hold a convention.

Further Resources about the Constitutional Convention

- New York State Bar Association: [Reports on the Constitutional Convention](#):
- New York Public Interest Research Group and League of Women Voters: [New Yorkers' Road Map to the Constitutional Convention](#)
- New York City Bar: [Task Force on the New York State Constitutional Convention](#)
- Rockefeller Institute of Government: [New York State Constitution Convention Guide](#)