

I. Preamble and authorization

THE PEOPLE of the State of New York - in order to protect their rights and happiness, to promote the well-being of their communities, and to ensure the common good - authorize and ordain this Constitution.

The State of New York is a representative social democracy. The People of the State are free and equal persons whose rights, dignity, and well-being shall be respected and promoted by the government of the State in all laws and actions.

The People are the sole source of sovereignty and authority under this Constitution. All powers granted to and exercised by the government of the State derive from the People.

The government of the State shall consist of the Assembly, the governor and any executive agency established by law, courts established by this Constitution and by law, and the officers, officials, and employees thereof. Local governments or entities established by law, and the agencies, officers, officials, and employees thereof, shall be considered part of the government of the State except when otherwise stated in this Constitution or as established by law.

This Constitution and the laws which shall be made under its authority are the supreme law of the State. The provisions of this Constitution, including the preamble and authorization clause, are self-executing and operable law and shall be enforced.

II. Elections

The right of citizens, who are eighteen years of age or older, to vote in all elections shall not be violated by the government of the State or by any person or organization. No impediment of any kind shall exist to exercising the right to vote in all elections, without exception.

The government of the State shall provide all citizens of age with the means to vote in elections: to vote in person at an easily-accessible location on the day of the election and before, and to vote by mail before and on the day of the election. All elections shall be conducted by secret ballot, with paper ballots or verifiable paper records, which shall be preserved for at least four years.

All elections shall be free and fair. The Assembly shall by law establish procedures and regulations for the holding and administration of elections, for the holding of new elections in the event of tampering or irregularities, and to ensure that all elections are free, fair, and administered transparently.

All elections shall be administered and certified by a public, non-partisan agency established by law. The Assembly shall provide the agency with the resources and personnel necessary to administer free and fair elections in all parts of the State, to accurately and transparently count and certify election results, to conduct efficient and transparent recounts, to prevent tampering with or irregularities of election results, and to protect the right to vote.

All elections shall be held every four years, on the day determined by Congress for the holding of federal elections. The day of elections shall be a public holiday, and all employed persons living or employed in the State shall have the day off from work with full pay, except persons essential to public safety, the proper operation of government, and the proper conduct of the election, as established by law.

All citizens of the State qualified to vote shall have the duty to vote in each State election. Qualified citizens who fail to vote shall be fined \$100, adjusted for inflation as determined by the federal consumer price index.

All citizens of the State shall be provided with a free identification card, which shall be an acceptable form of identification for all elections and for all government purposes and programs within the State. Citizens shall be provided with this identification card upon birth within the State, or upon request for citizen or non-citizen persons who relocate to the State.

All citizens shall be automatically registered to vote upon birth within the voting district or jurisdiction in which they live, or upon request for citizens who relocate to the State. Citizens who relocate within the State before an election may update their registration at any time and on election day at the polling location. Citizens who relocate to the State and have not received a free identification card may vote at their designated polling location, by signing an affidavit attesting to their identity and residence which shall be provided at the polling location.

All citizens of the United States residing within the State of New York are citizens of the State, and are qualified to vote in the elections authorized by this Constitution unless the person actively claims the right to vote in another state. Citizenship of the State shall only be determined by residents within the State, and not by any form of documentation or identification. All persons who are not citizens of the United States residing within the State of New York may, after six months of residence within the State, claim citizenship of the State and vote in the elections authorized by this Constitution unless the person actively claims the right to vote in another state. All persons born within the State of New York and residing within the State are citizens of the State.

The only requirements for election to offices established by this Constitution or by law shall be: citizenship of the State of New York, residency within the jurisdiction or district a person seeks to represent, and being eighteen years of age or older on the day of election.

III. Rights of the People

The rights of the People enumerated in this Constitution are inviolable. It is the duty and obligation of the government of the State to protect, enforce, and promote these rights. The enumeration of rights shall not be considered exhaustive, and the People possess other rights as free and equal persons which shall not be violated by the government of the State.

The Assembly shall not enact any law in violation of this Constitution, nor in violation of the rights of the People enumerated in this Constitution. The Assembly shall enact laws for the protection, enforcement, and active promotion and guarantee of the rights enumerated in this Constitution.

No agency, officer, or employee of the State shall enforce or uphold any law in violation of this Constitution, nor in violation of the rights of the People enumerated in this Constitution. No agency, officer, or employee of the State shall carry out any action in violation of this Constitution, nor in any way violate, suppress, or restrict the rights of the People enumerated in this Constitution.

No court shall carry out any action in violation of this Constitution, nor in any way violate, suppress, or restrict the rights of the People enumerated in this Constitution.

1. Neither slavery, nor involuntary servitude of any kind, shall exist within the State of New York.
2. Freedom of speech, freedom of thought, the free exercise of religion and conscience, the freedom of the press, the freedom of public and private assembly, the freedom of public and private protest, and the freedom to petition the government for a redress of grievances shall not be violated by the government of the State.
3. The government of the State shall not deny to any person the equal protection of the laws.
4. The government of the State shall not deprive any person of life or liberty without due process of law, nor deprive any person of property except according to procedure established by law, nor take private property without just compensation according to procedure established by law.
5. The government of the State shall not discriminate against persons on the basis of race, ethnicity, caste, sex or gender identity, sexual identity, physical ability or disability, mental disability, or health status.
6. Freedom from discrimination by the government of the State, in public accommodations, and by employers on the basis of race, ethnicity, caste, sex or gender identity, sexual identity, physical ability or disability, mental disability, or health status shall not be violated.
7. Personal privacy, and a reasonable expectation thereof, shall not be violated by the government of the State. The right of a person to be secure in their person, house, papers, personal belongings and effects, non-digital and digital communications, and digital data and devices, shall not be violated. The Assembly may extend these rights to private accommodations, businesses, and organizations by law.
8. The government of the State shall not search any individual person or their house, papers, personal belongings and effects, non-digital and digital communications, and digital data and devices, nor seize evidence for violations of the criminal and civil laws of the State, without a warrant issued by a judge upon obvious cause.
9. The government of the State shall not arrest, detain, or search any individual person without a warrant issued by a judge upon obvious cause, except in instances where a public safety officer has determined that a violation of criminal law has obviously occurred, as established by law. Any person detained or arrested by the government shall be immediately presented to a judge for a writ of habeas corpus, which the courts shall have the power to issue, and which, if issued, the government of the State shall immediately obey. Judges shall order the immediate release of all individual persons who do not pose a threat of physical harm to themselves or other persons.
10. The right of the People to seek and obtain redress in court for the violation of their rights by the government of the State shall not be violated.
11. Free, fair, and impartial courts of law for criminal and civil cases shall be established by law. The Assembly shall guarantee universal access to the courts to all persons, and provide adequate legal counsel to all persons who request it.
12. The right of the People to collectively bargain with employers, to organize and join labor unions and other associations of workers and employees, to strike, to freely solicit and organize their coworkers and other people, and to enjoy these rights without retribution or retaliation from their employer, shall not be violated by the government of the State nor by any private employer.
13. Safe and hygienic housing shall be available to all persons.
14. Clean air, clean water, and a healthful environment shall be available to all persons.
15. Free, high-quality public education shall be available for all children and all persons. Free public higher education shall be available to all persons inhabiting the State. The Assembly shall enact adequate funding for all public schools in the state. Public schools shall receive equal funding per student. The unequal distribution of funding and

resources, on a per-capita basis or on the basis of race or ethnicity, between schools, school districts, or communities is banned. The segregation between schools and school districts of students, funding, or resources by race, ethnicity, or economic status is banned.

16. Quality, affordable medical care and health care shall be available to all persons.
17. The right to medical care, and to medical procedures advised by medical professionals, shall not be denied or abridged for any person by the government of the State or any person or organization.
18. The right to abortion services, and the right of medical professionals to provide abortion services, shall not be denied or abridged by the state government or any person or organization. The right to abortion services shall apply up to twenty-four weeks of pregnancy, and in all instances in which the health of the parent is at risk or the pregnancy is non-viable.
19. The right of access to contraceptives shall not be denied or abridged by the state government or any person.
20. The right to medically-valid and age-appropriate sexual health education shall not be denied or abridged by the state government, public or private schools and other educational institutions, or any person.

IV. The Assembly

Section I.

The Assembly of the State of New York shall exercise the legislative power of the government of the State. The legislative power consists of: the power to enact all laws; to oversee the proper function of executive agencies, officers, officials, and employees; to investigate any official or any official or unofficial action by the same; to investigate any topic it deems relevant to its power to enact laws; and to establish, empower, regulate, disempower, and dis-establish local governments, special-purpose districts, public corporations, and private corporations.

Section II.

The Assembly shall have the power to enact laws for the general welfare of the people of the State of New York. The Assembly shall have the power to enact laws for the enforcement of all provisions of this Constitution, and all the rights of the People contained herein and others retained by the People. The Assembly shall not have the power to enact ex post facto laws or bills of attainder.

The Assembly shall have the power to establish, empower, regulate, disempower, and dis-establish executive agencies to enforce the laws. The Assembly shall have the power to empower agencies to issue regulations to enforce the laws, which shall carry the force of law, according to procedures established by law. The Assembly shall have the power to establish, empower, regulate, disempower, and dis-establish public corporations and organizations.

The Assembly shall have the power to enact and collect taxes and excises, direct and indirect, on income, property, and capital gains from whatever sources derived. The Assembly shall have the power and duty to pay the debts of the government of the State. The Assembly may enact budget deficits when it deems necessary. The Assembly and the government of the State shall not default on any debts.

The Assembly shall have the authority to enact criminal and civil penalties for the enforcement of laws.

The Assembly shall have the power, through itself and committees established by law, to issue lawful subpoenas for documents and testimony, and to enforce its subpoenas by fines or arrest for the duration of a session of the Assembly, as established by law.

The Assembly shall have the power to establish a militia for the common defense of the People of the State.

The Assembly shall have the power to establish, dis-establish, and regulate privately-owned corporations, private businesses and organizations, and private non-profit organizations. The Assembly shall establish a quick and transparent process for persons to establish or dis-establish privately-owned corporations, private businesses and organizations, and private non-profit organizations.

The Assembly shall have the power to regulate and restrict the ownership and possession of weapons of any kind, including firearms.

Section III.

The power to review and determine the constitutionality of laws, regulations, and official actions shall be exercised by the Assembly. The Assembly, as the constitutional body of the government of the State elected by the People, is charged with faithfully determining the constitutionality of laws, regulations, and official actions. Members of the Assembly and the officers, officials, employees, and agencies of the government of the State shall discharge the responsibilities and duties of their offices or positions in a constitutional and legal manner.

The Assembly shall establish and maintain a constitutional committee, composed of at least thirty members representing proportionally the political parties represented in the Assembly. The committee shall have the power to review the constitutionality of bills, laws, regulations, proposed regulations, and official actions by the governor and all other government officers, officials, employees, and agencies.

The committee shall exercise this power according to the following process. The committee shall, upon receiving a formal request for review, hold public and private hearings to review the constitutionality of a particular bill, law, regulation, proposed regulation, or official action. After a thorough examination of the issue, the committee shall determine the question of constitutionality by majority vote. The committee shall then submit a public report to the Assembly explaining the reasoning for its determination of constitutionality. The committee shall vote on the question of constitutionality within sixty days of receiving a formal request for review, and shall submit the public report to the Assembly within thirty days of the vote.

Upon receiving the public report of the constitutional committee, the Assembly shall vote to accept or reject the vote and findings of the committee by the majority vote of members of the Assembly present for the vote. If the the majority vote of members of the Assembly present for the vote determines that a particular bill, law, regulation, proposed regulation, or official action is unconstitutional, then the Assembly shall, within thirty days, hold public hearings or hold a vote to rectify or repeal the unconstitutional bill, law, regulation, proposed regulation, or official action. Formal requests for review by the constitutional committee may be made by: at least one-third of the members of the committee; a majority of all members of the Assembly; a unanimous request for review by the judges of the supreme court, as part of a ruling in a relevant case.

Section IV.

A bill shall become law by the majority vote of members of the Assembly present for the vote, and a majority of members shall constitute a quorum to conduct business.

The Assembly shall publicly meet at least once every three months. In times of emergency, when members cannot meet in person, the Assembly may conduct business digitally or by other means, as established by law. The Assembly shall determine the rules of its proceedings, shall punish its members for disorderly behavior, and with the concurrence of two-thirds of all members expel a member. A minority number of members may adjourn from day to day, and may be authorized to compel the attendance of absent members, as established by law.

All laws enacted by the Assembly and all regulations created by empowered offices or agencies shall be published publicly, as shall all records and proceedings of the Assembly and of executive offices and agencies. All records and proceedings of the courts shall be published publicly except as sealed for the right of privacy or as established by law.

No money shall ever be paid out of the treasury of the State or any of its funds, or any fund under the management of the government of the State, excepting appropriations enacted by law. The government of the State shall not spend or repurpose money except according to appropriations enacted by law.

The Assembly shall each year enact an annual budget for the government of the State, which shall be enacted into law each year by the first day of April, and shall fund the government of the State until the first day of April of the following year, even after the beginning of a new term of the Assembly. The Assembly may at any time exercise the legislative power and enact additional laws that affect the annual budget of the government of the State.

Section V.

The Assembly shall be composed of members elected directly by the citizens of the State, who are citizens of the United States who reside within the State of New York and vote in its elections, and who are at least eighteen years of age on Election Day.

Elections for members of the Assembly shall be held every four years, on the same day selected for the election of members of Congress and the President and Vice President of the United States. Each four-year term of the Assembly shall end on the fourteenth day after Election Day, and the newly-elected members of the Assembly shall meet on that day to begin the new term of the Assembly.

Section VI.

Members of the Assembly shall receive salary compensation for their services, as determined by law, and paid by the treasury of the State. Members of the Assembly shall not be questioned, detained, or indicted for any speech made within the Assembly, nor arrested during their attendance of a session of the Assembly except for treason, felony, or breach of the peace.

The Assembly shall employ staff for the whole body, members, and committees, and may establish legislative agencies and commissions, as it may deem necessary. Members of the Assembly and employees of the Assembly, former and present, are barred from lobbying the Assembly for ten years after the end of their term of office or employment.

The annual salary for members of the Assembly shall be at least \$250,000, adjusted for inflation as determined by the federal consumer price index. The annual salary for staff shall be at least \$80,000, adjusted for inflation as determined by the federal consumer price index. The staff for

the whole body, members, and committees, and any legislative agencies and commissions, shall have the power to form labor unions, and the Assembly shall establish by law regulations for safe and healthful workplaces for members and staff.

Section VII.

The Assembly shall be composed of at least four-hundred members, and the Assembly may increase the number of members by law.

Elections for members of the Assembly shall be conducted according to the system of proportional representation provided for in this section. Members shall be elected to represent multimember electoral districts, and shall be elected by the single transferable voting method of ranked-choice voting. Each electoral district shall elect five members of the Assembly, who shall be the candidates who receive the five-highest vote totals.

The boundaries of electoral districts shall be determined by an independent committee of citizens, selected by the Assembly, after each enumeration of the federal census. The committee shall determine the boundaries of electoral districts with the concurrence of two-thirds of its members, subject to public comment. The boundaries map shall then be presented to the Assembly, which shall approve or disapprove the map by majority vote of members of the Assembly. If the Assembly disapproves of the boundaries map the independent committee shall submit a revised boundaries map, which the Assembly shall then approve or disapprove by majority vote of members of the Assembly.

The boundaries of electoral districts shall be geographically compact and align to communities of interest, and shall not be drawn to discriminate against citizens of the State on the basis of race, ethnicity, religious belief, or partisan affiliation. Electoral districts shall represent equal total populations of persons.

Section VIII.

The right of the People to organize political parties shall not be denied or abridged by the government of the State or any person or organization.

All political parties that support candidates for election shall be registered and recognized by the government of the State. The Assembly shall by law establish procedures and regulations for the conduct and administration of political parties.

Political parties shall determine their memberships. Political parties shall determine their methods for supporting and endorsing candidates for election. Political parties may utilize primary elections, which shall be administered by the elections agency authorized by Article II.

Section IX.

Political parties and campaign committees for individual candidates shall be funded solely by legal donations from individual persons, and by matching funds as provided by this Constitution and as established by law, and political parties may contribute funds and resources to campaign committees for individual candidates as established by law.

Individual persons may donate up to one-hundred dollars, adjusted for inflation as determined by the federal consumer price index, to a political party every four years. Individual persons may donate up to one-hundred dollars to a campaign committee for an individual candidate, adjusted for inflation as determined by the federal consumer price index, every four years. Individual persons may donate up to fifty dollars, adjusted for inflation as determined by the federal

consumer price index, to a campaign committee for an individual candidate for primary elections.

No private business, privately-owned corporation, or private organization of any kind shall participate directly in the electoral process, donate funds or resources to political parties or committees for individual candidates, contribute funds or resources to political parties or committees for individual candidates, or utilize funds or resources to independently promote or support political parties or individual candidates.

No private business, privately-owned corporation, or private organization of any kind shall engage in election-related, party-related, or candidate-related advertising or mass communications thirty days before a general election. No private business, privately-owned corporation, or private organization of any kind shall engage in election-related, party-related, or candidate-related advertising or mass communications relating to a particular political party and its candidates thirty days before that political party's primary election, candidate selection process, or event. Private civil society organizations dedicated to promoting voter turnout, general participation in the electoral or political processes, civil rights, and constitutional rights are exempt from the restrictions of this section.

Political parties that receive at least five percent of the popular vote in any round of calculating the results of a general election, shall, along with the campaign committees of their nominated candidates, receive funds from the State for the next general election matching the legal donations they receive from individual persons.

Section X.

The Assembly may authorize the governor to declare temporary states of emergency, during which laws, regulations, or procedures may be suspended or circumvented as established by law. No provision of this Constitution may be suspended or disregarded at any time or by a declaration of a state of emergency.

The Assembly shall only authorize the governor to declare temporary states of emergency during actual emergencies, which shall be limited to; weather or environmental emergencies; outages of electricity, water, or other vital public services; pandemics, epidemics, or other public health emergencies; mass violence or public disturbances; political violence or terrorism; domestic insurrection; invasion.

The Assembly shall enact laws to prepare for actual emergencies, to protect the lives and health of all persons living in the State during actual emergencies, and to ensure the proper operation of itself and of the government of the State during actual emergencies.

Section XI.

The boundaries of federal congressional districts shall be determined by an independent committee of citizens, selected by the Assembly, after each enumeration of the federal census. The committee shall determine the boundaries of federal congressional districts with the concurrence of two-thirds of its members, subject to public comment. The boundaries map shall then be presented to the Assembly, which shall approve or disapprove the map by majority vote of members of the Assembly. If the Assembly disapproves of the boundaries map the independent committee shall submit a revised boundaries map, which the Assembly shall then approve or disapprove by majority vote of members of the Assembly.

The boundaries of federal congressional districts shall be geographically compact and align to communities of interest, and shall not be drawn to discriminate on the basis of race, ethnicity, religious belief, or partisan affiliation. Federal congressional districts shall represent equal total populations of persons.

V. Executive

Section I.

The power to execute and enforce the laws enacted by the Assembly shall be exercised by a governor, and by executive officers, officials, employees, and agencies established by law, which shall be ultimately subordinate to the governor. Executive officers, officials, employees, and agencies, shall be answerable for their conduct and official actions to the Assembly, and the governor subordinate to and answerable to the Assembly.

The Assembly shall determine by law the procedures for the appointment of all executive officers, officials, and employees: whether each position shall be appointed by the governor, other government officials, or judges; whether or not positions shall be confirmed by the Assembly; and the length of appointment. The governor may have the power to fire subordinate executive officers, officials, and employees for cause, as established by law.

The Assembly shall establish a protected civil service for the agencies of the government of the State, and for local governments and special-purpose districts, to ensure the proper, lawful, and uncorrupt operation of government agencies and enforcement of the law. Employees of the government of the State and any local government or special-purpose district shall have the right to form labor unions, although the government of the State shall have the power to fire or reassign employees as necessary.

Section II.

The governor shall be chosen by the majority vote of the members of the Assembly on the first day of each four-year term of the Assembly, and shall be chosen from among the members of the Assembly. The Assembly shall not enact any law until it has determined its rules and proceedings for the new term and chosen a governor and lieutenant governor.

The governor shall hold office until the selection of a new governor on first day of the next term of the Assembly, unless removed by the majority vote of the members of the Assembly and replaced by a new governor. The new governor shall serve for the remainder of the term of the Assembly, unless they themselves are removed from office according to the procedure in this section.

A lieutenant governor shall be chosen by the majority vote of the members of the Assembly immediately after the selection of a governor. The lieutenant governor shall assume the office of governor upon the death or physical incapacitation of the governor, according to procedures established by law, until the Assembly shall meet and select a new governor and a lieutenant governor. If the Assembly should fail to choose a governor on the first day of a four-year term, the lieutenant governor of the previous term shall temporarily serve as governor until the Assembly chooses the new governor.

Section III.

No person shall serve as governor more than eight years cumulatively, and no person shall serve as lieutenant governor more than eight years cumulatively,

The governor and all executive officers, officials, and employees while serving their terms of office or employment, shall enjoy limited immunity from suit or prosecution for official actions of office as determined by law, but shall not enjoy immunity from prosecution for federal or state felonies, nor shall they be immune from suit by citizens of the state of New York for the protection and enforcement of their rights. Agencies of the government of the State shall enjoy limited immunity from suit for official actions and lawful regulations, as determined by law, but shall not enjoy immunity from suit by citizens of the state of New York for the protection and enforcement of their rights.

The governor shall have the power to grant reprieves, commutations, and pardons to persons lawfully convicted of a crime, except in cases of conviction for treason, conspiring to overthrow or destroy by force the government of the State, or levying war against the government of the State or the inhabitants of the State. The governor shall not have the power to preemptively pardon persons for crimes nor to prevent the lawful indictment, trial, and conviction of persons for crimes.

VI. Judiciary

Section I.

The courts of the State of New York shall exercise the judicial power of the government of the State. All criminal cases, and civil cases as established by law, shall be tried before and decided by the courts of the State. Lawful decisions of the courts of the State shall have the force of law and shall be respected and enforced by the Assembly, the governor, and the officers, officials, and employees of the government of the State.

The jurisdiction of the courts of the State shall consist only of: actual cases and controversies arising under this Constitution, the laws enacted by the Assembly, regulations enacted by agencies, official actions undertaken by officers, officials, and employees of the government of the State; and civil cases and controversies arising between private parties. The Assembly shall have the power to restrict, rescind, and restore the original and appellate jurisdiction of the courts of the State by law.

Petitioners or parties shall have standing in the courts of the State: when they are directly impacted by a law, regulation, or official action; for the enforcement of the rights of individual persons or citizens; for the enforcement of rights and obligations between private parties; and in other instances as established by law.

The courts of the State shall have the power to enforce their lawful orders and to issue and enforce lawful subpoenas, and to enforce lawful orders and subpoenas through sanction, fine, and arrest.

Section II.

The courts of the State shall be composed of one supreme court, and in such inferior courts as the Assembly may establish or disestablish by law at any time.

The Assembly shall generally structure the system of courts as follows: district courts, which shall have original jurisdiction for all cases and controversies under this Constitution, and shall decide questions of law and fact, and shall be established in all communities or municipalities; courts of appeal, which shall receive appeals for cases and controversies decided by district courts and shall have only appellate jurisdiction, and shall decide on questions of law where errors may have occurred, and on questions of fact in instances where a district court was clearly

incorrect; one supreme court, composed of at least fifteen judges, or more as established by law, which shall receive appeals for cases and controversies decided by appellate courts and shall have only appellate jurisdiction, and shall serve as the court of final appeal for the courts of the State.

Cases and controversies heard and decided by district courts shall be overseen by one judge, except in instances where individual persons seek redress in court for the violation of their rights by the government of the State, which shall be overseen by three judges. All cases and controversies heard and decided by courts of appeal shall be overseen by five judges. All cases and controversies heard and decided by the supreme court shall be overseen by at least fifteen judges.

Section III.

The judges of the supreme and inferior courts shall hold their offices for a term of ten-years, and shall receive compensation for their services which shall not be diminished during their term of office. The annual salary for judges shall be at least \$250,000, adjusted for inflation as determined by the federal consumer price index. No person who has served a term of office as a judge of a particular court may be reappointed to a second term, but may be appointed to serve a term as a judge of a superior court. Judges serving on courts disestablished by law shall retain their commission of office and may be reassigned to another court of the same tier by law.

The governor shall nominate the judges of the courts of the State, who shall be confirmed in their term of office by the majority vote of the members of the Assembly. The governor shall only select persons for nomination who: are members of the bar of law of the State in good standing, are citizens of the State, and are eighteen years of age or older on the day of their nomination.

The Assembly may revoke the confirmation of a judge before the end of their term of office by the two-thirds vote of the members present for the vote.

Section IV.

The courts of the State shall not have the power to review or determine the constitutionality of laws enacted by the Assembly, nor the constitutionality or legality of regulations lawfully enacted by agencies.

The courts of the State shall have the power to review the constitutionality and legality of official actions by the governor and all other government officers, officials, employees, and agencies, but only in cases where individual persons seek redress in court for the violation of their rights by the government of the State. The courts of the State shall not weigh upon or determine questions of public policy.

The Assembly may at any time exercise the legislative power and, by law, overrule decisions of any court on the constitutionality or legality of official actions by the vote of all members of the Assembly.

Section V.

This Constitution and the laws which shall be made under its authority are the supreme law of the State, and regulations lawfully enacted by agencies shall have the force of law.

The courts of the State shall faithfully interpret laws, regulations, and official actions in accordance with the plain meaning of their texts, and shall not misconstrue the plain intentions or legislative record of the Assembly or laws enacted by the Assembly.

This Constitution, laws enacted by the Assembly, and regulations lawfully enacted by agencies shall be the source of law for the courts of the State in all cases and controversies, and shall in all instances supersede any case law created by the courts of the State.

VII. Education

Section I.

The Assembly shall establish and maintain a system of free public schools for the education of all the children living in the State of New York. The system of public schools shall provide all students with a high-quality education, which shall prepare all students to live free and healthful lives and to freely and functionally participate in society.

Section II.

The Assembly shall enact adequate funding for all public schools in the state. Public schools shall receive equal funding per student.

The unequal distribution between schools, school districts, or communities of funding and resources by race, ethnicity, or economic status is banned. The segregation between schools and school districts of students, funding, or resources by race, ethnicity, or economic status is banned. The Assembly shall establish an adequate system for the administration and operation of public schools, and may authorize local governments and special-purpose districts to administer and operate public schools. The Assembly shall provide the sole source of funding and resources for the public schools of the State.

The Assembly shall each year appropriate at least \$35,000 per student, adjusted for inflation as determined by the federal consumer price index, for the funding of public schools.

Section III.

Free public higher education shall be available to all persons inhabiting the State. The Assembly shall establish, maintain, and adequately fund systems of free public universities, colleges, community colleges, and technical schools. The University of the State of New York shall not be disestablished by the Assembly and shall be governed by a board composed of at least nine regents, who shall be appointed by the governor and approved by the Assembly. The Assembly shall have the power to establish and modify the corporate powers of all public universities, college, community colleges, and technical schools within the State.

Section IV.

The government of the State shall not use its property or any public money, or authorize or permit either to be directly or indirectly used, for the maintenance or support of any school or institution wholly or in part under the control or direction of any religious denomination, or in which any denominational tenet or doctrine is taught, except for the examination or inspection of such schools or institutions and for providing transportation of children to and from any school or institution of learning.

Section V.

The annual salary for all teachers shall be at least \$150,000, adjusted for inflation as determined by the federal consumer price index. Public schools shall employ an adequate number of teachers, such that classes shall not exceed fifteen students per teacher in size.

Section VI.

All schools shall provide classes to all students in the following subjects: the arts, music, civic participation and citizenship

All middle schools and high schools shall provide classes to all students in the following subjects, appropriate to the age and cognitive abilities of students: sexual health, media literacy, internet literacy, computer use, ethics and moral philosophy, and general health and nutrition.

Standardized testing shall not be administered to students, except to determine the readiness of students to advance from primary school to middle school, from middle school to high school, and to graduate from high school. No student shall be advanced to the next level of schooling without demonstrated competence in the following subjects, as appropriate by age and cognitive abilities: reading comprehension, writing, literature, history, mathematics, and the sciences.

VII. Health

Section I.

The right to medical care, and to medical procedures advised by medical professionals, shall not be denied or abridged for any person by the government of the State or any person or organization.

The Assembly shall establish, and provide adequate funding for, a system of medical care or medical care insurance for persons inhabiting the State. Medical care and medical care insurance shall be affordable or free for persons receiving medical care.

The protection and promotion of the physical and mental health of the inhabitants of the state are matters of public concern. The Assembly shall establish, and provide adequate funding and regulatory powers to, agencies for the protection and promotion of the physical and mental health of persons inhabiting the State.

Section II.

The right to a healthful environment and to protection from communicable diseases shall not be denied or abridged for any person by the government of the State. The protection of the inhabitants of the State from diseases, epidemics, and pandemics is a matter of public concern. The Assembly shall have the power to enact laws necessary to protect the inhabitants of the state from diseases, epidemics, and pandemics, and shall establish, and provide adequate funding and regulatory powers to, agencies for the protection of the inhabitants of the State from diseases, epidemics, and pandemics.

The Assembly shall establish, maintain, and adequately fund a system for the promotion and protection public health.

Section III.

Persons who attend public schools, public universities, colleges, community colleges, and technical schools, or non-public schools or institutions of higher education that receive money or material support from the government of the State, shall be required to receive vaccinations for communicable diseases. The Assembly shall determine vaccinations to be required by law, upon the advice of the public health agencies of the government of the State.

Section IV.

The governor shall have the power to implement temporary quarantines of individual persons or geographic areas of the State in order to prevent the transmission of uncontrolled communicable diseases, epidemics, and pandemics.

IX. Economic freedoms and security

Section I.

The right of the People to collectively bargain with employers, to organize and join labor unions and other associations of workers and employees, to strike, to freely solicit and organize their coworkers and other people, and to enjoy these rights without retribution or retaliation from their employer, shall not be violated by the government of the State or by any private employer.

The Assembly shall establish, and provide adequate funding and regulatory powers to, agencies to enforce the provisions of this section.

Section II.

The Assembly shall enact laws for the protection of workers and employees, for the enforcement of the rights of workers and employees, to ensure the health and safety of workplaces, for the regulation of private businesses, organizations, and other employers, and for the regulation of relations between employers and workers and employees.

The minimum wage for all employed persons shall be \$25 per hour, adjusted each year for inflation as determined by the federal consumer price index. All employed persons, earning below \$100,000 per year, adjusted each year for inflation as determined by the federal consumer price index, shall be guaranteed overtime pay of one-and-one-half their salary after thirty-five hours of work per week.

All employed persons shall be provided at least fourteen days of full-salary paid vacation time per year. All employed persons shall be provided at least seven days of full-salary paid sick leave per year. All employed persons shall be provided at least six months of full-salary paid paternity leave; persons may use part or all of paternity leave between confirmation of pregnancy by a doctor and the first birthday of the child.

The Assembly shall establish, and provide adequate funding and regulatory powers to, agencies to enforce the provisions of this section.

Section III.

The prevention and alleviation of income inequality and wealth inequality are matters of public concern. The Assembly shall enact laws for the prevention and alleviation of income inequality and wealth inequality between persons inhabiting the State.

Section IV.

The right of the People to economic security and freedom from poverty shall be guaranteed by the government of the State. The Assembly shall enact laws for the protection and promotion of economic security and freedom from poverty of persons inhabiting the State. The Assembly shall enact laws for the aid, care, and support of persons inhabiting the State.

Section V.

The Assembly shall establish a protected civil service for the agencies of the government of the State, and for local governments and special-purpose districts, to ensure the proper, lawful, and uncorrupt operation of government agencies and enforcement of the law. Officers and officials

appointed by the governor or the Assembly shall not organize, or participate in, any protected civil service.

As agents of the government of the State, employees of agencies shall have the right to organize and join labor unions, but the government of the State shall have the power to fire and reassign employees of agencies as established by law.

Employees of the law enforcement and public safety agency, including public safety officers, and employees and members of the militia of the state shall not organize or participate in labor unions or other associations of workers and employees. Employees and members of the militia of the state shall not organize, or participate in, any protected civil service. Employees of the law enforcement and public safety agency, including public safety officers, may participate in any protected civil service as established by law, excepting any provision of this Constitution.

X. Corporations and private organizations

Section I.

Individual persons shall have ability to establish privately-owned corporations, private businesses and organizations, and private non-profit organizations according to procedures established by law, excepting instances where persons lawfully convicted of a crime are prohibited from doing so as part of their sentence.

The Assembly shall have the power to establish, dis-establish, and regulate privately-owned corporations, private businesses and organizations, and private non-profit organizations. The Assembly shall establish a quick and transparent process for persons to establish or dis-establish privately-owned corporations, private businesses and organizations, and private non-profit organizations.

Section II.

Privately-owned corporations, private businesses and organizations, and private non-profit organizations may be granted property rights and standing in the courts of the States, as established by law, but otherwise shall not enjoy the rights of individual persons guaranteed by this Constitution, and shall not be considered natural persons in any sense by the government of the State.

Section III.

Privately-owned corporations, private businesses and organizations, and private non-profit organizations shall not discriminate in their public accommodations or against their employees on the basis of race, ethnicity, caste, sex or gender identity, sexual identity, physical ability or disability, mental disability, or health status.

XI. Criminal and civil law

Section I.

1. The Assembly shall have the authority to enact criminal and civil penalties for the enforcement of laws. The Assembly shall establish a system of public prosecutors who shall enforce the laws of the State by bringing criminal indictments or civil cases before the courts of the State. Public prosecutors shall be nominated by the governor and confirmed in their term of office by the majority vote of the Assembly, and shall hold their offices for a term of four-years. The governor shall only select persons for nomination who: are members of the bar of law of the State in good standing, and are citizens of the State of and are eighteen years of age or older on the day of their nomination. The Assembly may revoke the confirmation of a public prosecutor before the end of their term of office by the majority vote of the members present for the vote.

2. All criminal cases shall be determined by the unanimous consent of an impartial jury, which shall determine the innocence or guilt of the accused, and shall only convict a person of a crime when guilt has been determined beyond a reasonable doubt. Juries shall be composed of at least twelve citizens selected upon the mutual consent of the defendant, the prosecuting official, and the presiding judge and shall generally represent the racial, ethnic, economic, and gender demographics of the State or the local jurisdiction in which the case is tried, as established by law. Juries shall have the power to decide questions of law and facts in all criminal cases.

3. Civil cases, initiated by a public prosecutor or between private parties, shall be determined by the unanimous consent of an impartial jury or by the presiding judge, as established by law. Verdicts in civil cases shall be determined by a preponderance of the evidence. Regulatory and other agencies may issue civil fines or citations for violations of regulations, laws, and the provisions of this Constitution, as established by law.

4. Indictment of an individual for a crime shall be issued by a public prosecutor, and shall be determined by the two-thirds vote of an impartial grand jury. Grand juries shall be composed of at least twenty citizens selected by a presiding judge and shall generally represent the racial, ethnic, economic, and gender demographics of the State or the local jurisdiction in which the case is tried, as established by law. Grand juries shall have the power to decide questions of law and facts in all criminal cases, and by the two-thirds vote of members to issue indictments of individuals not brought before them by a public prosecutor. *Grand juries shall be advised* In all criminal cases, the public prosecutor shall present all exculpatory evidence in its possession to the grand jury.

Section II.

All persons indicted of a crime shall be presumed innocent by the courts and the government of the State until lawfully determined guilty by a jury. All persons are to be presumed innocent of violating the law at all times and in all interactions with the government of the State. The burden of proof for the enforcement of laws, for arrest, for indictment, and for conviction shall rest with the public prosecutors, public safety officers, and other government officials charged with enforcing the laws and prosecuting crimes.

In all criminal cases, the defendant shall enjoy the right to a speedy and public trial; to be confronted with the witnesses against them; to have compulsory process for obtaining witnesses in their favor; and to have adequate legal counsel provided to them and paid for entirely by the State upon the request of the defendant. In all criminal cases, the prosecution shall present all evidence gathered by the State, including exculpatory evidence, to the defendant. No person shall be subject twice to investigation or indictment for the same offense. No person shall be compelled in any criminal case to witness against themselves, nor to incriminate themselves in any way to officers, officials, and employees of the government of the State. In all criminal cases, convictions of persons provided inadequate or incompetent legal counsel shall be overturned.

Upon arrest for a crime, a person shall be immediately informed of their constitutional rights by the arresting officials, including but not limited to their rights against self-incrimination and to adequate legal counsel. No monetary bail shall be required in any instance, nor shall excessive fines be imposed except as deemed necessary by a judge for violation of a judicial order. Judges may order persons deemed to pose violent threats to others, threats to themselves, or a flight risk to temporary detainment in humane conditions until the end of their trial. In all other instances, charged persons shall be released immediately and shall not be detained before or during their trial.

Section III.

Persons lawfully convicted of a crime by an unanimous jury may be sentenced to temporary, humane detention and separation from society for the purpose of rehabilitation, as established by law. Temporary detention and separation from society as a sentence for a crime shall not include any form of labor or involuntary servitude of any kind. The Assembly shall enact adequate funding and regulations to ensure that persons sentenced to temporary detention and separation from society are detained in humane conditions, that facilitate rehabilitation and do not negatively impact the mental health of sentenced persons.

No cruel, violent, or unusual punishment of any kind may be established by law or determined by a jury or sentencing judge. Execution, physical torture, or psychological torture of any kind, as a sentence for a crime or otherwise, shall not be permitted within the State of New York. No person shall be indicted or convicted of a crime for which they have been found innocent, or already found guilty, by a unanimous jury.

Persons lawfully convicted of a crime by an unanimous jury may be sentenced to pay fines or restitution, as established by law. Persons lawfully determined at fault in civil cases may be required to pay fines, restitution, or to fulfill contractual obligations.

Plea bargains or other form of negotiated sentence or plea between public prosecutors and persons indicted for a crime or under investigation for a crime shall be banned. Public prosecutors shall only charge persons for crimes that they faithfully believe to have occurred, and shall not use the threat of further indictments or the removal of indictments to pressure or influence the decisions of persons indicted of a crime. All cases in which a person is indicted of a crime shall be heard before a lawfully-empaneled jury and a presiding judge.

The Assembly shall guarantee universal access to the courts to all persons, and provide adequate legal counsel to all persons who request it. The Assembly shall establish an adequate number of courts, appoint an adequate number of judges, and provide adequate funding to the courts in order to ensure universal access to the courts to all persons and the protect the rights of persons to a fair, speedy, and public trial. The Assembly shall provide adequate funding for the provisioning of adequate legal counsel to all persons who request it.

Section IV.

Bribery of members of the Assembly, of any officer, official, or employee of the government of the State, and of candidates for election shall be criminal offenses, and the Assembly shall determine adequate criminal penalties and fines for persons convicted.

The Assembly shall enact laws to prevent the corruption or corrupt influencing of official actions or the enforcement of the law by persons, and to prevent corrupt behavior by members of the Assembly, the governor and executive agencies, and the officers, officials and employees thereof, judges and any officers, officials, and employees of the courts of the State, and any local governments or entities established by law and the agencies, officers, officials, and employees thereof. The Assembly shall determine adequate criminal penalties and fines for persons convicted.

Section V.

Conspiring to overthrow or destroy by force the government of the State; to levy war against the government of the State or the inhabitants of the State; to oppose by force the authority of the government of the State; or by force to prevent, hinder, or delay the execution of the laws of the

State; or by force to seize, take, or possess any property of the government of the State contrary to the laws; shall be criminal offenses and the Assembly shall determine adequate criminal penalties and fines for persons convicted.

XII. Law enforcement and public safety agency

Section I.

The Assembly shall establish a public law enforcement and public safety agency for the State, which shall be the sole law enforcement and public safety agency or service in the State. The purposes of the agency shall be to guarantee public safety and the physical safety of persons and, in coordination with the public prosecutors authorized by the Assembly, to enforce the criminal and civil laws of the State through the citation or arrest of persons lawfully suspected of violations. The agency shall maintain an office in every local community or jurisdiction of the State, as established by law.

The only officials and employees of the agency that are authorized to issue citations or to arrest persons suspected of violations of the criminal and civil laws of the State shall be public safety officers. Public safety officers shall be the only officials and employees of the agency or the government of the State to use firearms or other lethal and non-lethal weapons and which shall only be used to protect the physical safety of persons, excepting the state militia as established by law. The annual salary for public safety officers shall be at least \$100,000, adjusted for inflation as determined by the federal consumer price index.

Section II.

Public safety officers shall not use firearms or other lethal and non-lethal weapons in order to enforce the criminal and civil laws or to preserve public order, excepting emergency situations where they are confronted by persons armed with firearms or other lethal weapons. Public safety officers shall not carry firearms or other lethal or non-lethal weapons on their person excepting emergency situations where they are confronted by persons armed with firearms or other lethal weapons; firearms and lethal and non-lethal weapons may be stored either in agency vehicles or agency offices.

Section III.

The public law enforcement and public safety agency shall only select persons for the position of public safety officer that: are citizens of the State and are twenty five years of age or older; have received a bachelors degree from a federally-certified college or university; are certified to not display or possess violent or abusive personality features or mental health disorders by a certified psychiatrist; and pass a two year training course provided by the agency established to train public safety officers.

The Assembly shall establish an agency to provide proper training of public safety officers, independent of the public law enforcement and public safety agency. The agency shall establish a two year training and preparation course for public safety officers, which shall include six months of de-escalation training, six months of criminal law training, and six months of racial and gender bias training. Public safety officers shall undergo annual psychological evaluations by a board-certified psychologist, who shall determine if officers are able to carry out their duties in a healthy and lawful manner.

The Assembly shall establish an agency of independent public prosecutors who shall investigate and prosecute all suspected violations of the constitutional and legal rights of persons by public safety officers, violations of the provisions of this Constitution by public safety officers, and violations of laws regulating the public law enforcement and public safety agency and its employees.

Section IV.

Public safety officers shall be fired and banned from future employment by the government of the State for violations of the provisions of this Constitution. The Assembly shall establish criminal penalties for current and former public safety officers who violate the provisions of this Constitution and laws regulating the public law enforcement and public safety agency and its employees. Public safety officers shall be personally liable in criminal and civil cases for violations of the provisions of this Constitution and laws regulating the public law enforcement and public safety agency and its employees.

Public safety officers shall carry functioning body cameras while on-duty, and the recordings produced shall be preserved by the government of the State for at least one year. Testimony before the courts of the State by public safety officers shall be invalidated if not corroborated by recordings from a functioning body camera, or if recordings are lost or tampered with in any way.

XIII. Tribal Nations

Section I.

The government of the State shall recognize the sovereignty and territorial integrity of the Cayuga Nation, the Oneida Indian Nation, the Onondaga Nation, the St. Regis Mohawk Tribe, the Seneca Nation of Indians, the Shinnecock Indian Nation, the Tonawanda Band of Seneca, the Tuscarora Nation, the Unkechaug Indian Nation, and the Montauk Tribe of Indians. The government of the State shall assist Tribal Nations that seek to reclaim sovereign territory within the State, including through the purchase and donation of land and infrastructure.

The government of the State shall recognize the sovereignty and territorial integrity of the Cayuga Seneca Nation, the Delaware Nation, the Delaware Tribe of Indians, the Stockbridge-Munsee Band of the Mohican Nation, and the Ramapough Lenape Nation, and of other Tribal Nations that were dispossessed of sovereign territory within the State and are presently located outside of the State. The government of the State shall assist Tribal Nations that seek to re-establish sovereign territory within the State, including through the purchase and donation of land and infrastructure.

The government of the State shall recognize the sovereignty and territorial integrity of all Tribal Nations recognized by the federal government. The Assembly may recognize other Tribal Nations by law. The government of the State shall not revoke recognition of the sovereignty and territorial integrity of any Tribal Nation.

Section II.

The government of the State shall respect the constitutions, laws, and lawful court orders of all Tribal Nations. The constitutions, laws, and lawful court orders of Tribal Nations with sovereign territory within the State shall have the force of law, and shall be respected and enforced by the government of the State when applicable. The government of the State shall cooperate with the governments of Tribal Nations on a government-to-government basis.

XIV. Environment and conservation

XV. Local government

Section I.

The Assembly shall have the power to establish and dis-establish local governments and special-purpose districts, for the purpose of providing self-government for local communities. Local

governments shall be established, maintained, and governed according to the provisions of this Constitution and as established by law.

The Assembly may delegate powers and responsibilities of government to local governments as established by law, excepting those powers and responsibilities that the Assembly, the executive agencies of the government of the State, and the courts of the State, are themselves required to exercise by this Constitution. The Assembly may authorize local governments and special-purpose districts to enact and collect taxes.

Section II.

All local governments shall be governed by a legislative council and a mayor. The members of legislative councils and mayors shall be elected every four years on the day of election for members of the Assembly, according to procedures established by law. The legislative councils of local governments shall have the power to enact local laws, according to the powers and responsibilities granted to them by the Assembly, as established by law.

Section III.

Local governments shall not enact any local law in violation of this Constitution nor in violation of the laws of the State. No agency, officer, or employee of a local government shall enforce or uphold any local law in violation of this Constitution or in violation of the laws of the State.

No agency, officer, or employee of a local government shall enforce or uphold any law in violation of this Constitution nor in violation of the rights of the People enumerated in this Constitution. No agency, officer, or employee of a local government shall carry out any action in violation of this Constitution, nor in any way violate, suppress, or restrict the rights of the People enumerated in this Constitution.

Section IV.

The Assembly may establish counties composed of multiple local governments across a geographic area for the purpose of providing public services and for the enforcement of laws, as established by law. County administrations, if established, shall be local administrative units of the government of the State.

The Assembly may determine the provision of public services and the enforcement of laws by executive agencies, county administrations, special-purpose districts, and local governments, as established by law, excepting instances required by this Constitution.

XVI. Amendment process

Section I.

This Constitution and any provision therein may be amended according to the following process.

Section II.

A proposed amendment shall be presented to the constitutional committee of the Assembly, which shall decide whether or not to begin the amendment process for the proposed amendment by the majority vote of all members of the committee. Upon approval of the proposed amendment, the committee shall hold public hearings, beginning within thirty days of the vote, examining the proposed amendment and its potential impact on this Constitution and the people of the State. The constitutional committee may revise the text of the proposed amendment in response to public comment.

The constitutional committee shall then approve its final recommendation for the text of the proposed amendment by the majority vote of all members of the committee. The committee shall then submit the proposed amendment to the Assembly. The committee shall vote on the final version of the proposed amendment and submit it the Assembly within thirty days of the conclusion of public hearings.

Section III.

Upon receiving the proposed amendment from the constitutional committee, the Assembly shall vote to submit the proposed amendment to the People of the State for approval in a referendum, by the majority vote of all members of the Assembly. The Assembly may revise the text of the proposed amendment before the vote.

Section IV.

If the proposed amendment is approved by the majority vote of all members of the Assembly, it shall be submitted to the People of the State to approve or disapprove in a referendum. The question to approve or disapprove the proposed amendment shall be included on the election 21 ballots during the next election for members of the Assembly. The proposed amendment shall be considered approved upon the majority vote of the People of the State voting in the election.

The approved amendment shall published and promulgated, and shall have the force of law as part of this Constitution, on the first day of the new four-year term of the Assembly.