



NEW YORK STATE SENATOR

Daniel G. Stec

Resigning should not bar impeachment

DANIEL G. STEC August 19, 2021

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Senator Dan Stec today said he is proposing an amendment to the New York State Constitution that would assure public office holders, including the governor, could be subject to impeachment after they leave office.

“Resigning should not be a means of evading accountability,” said Stec. “While there’s disagreement among legal scholars and others whether or not Cuomo can be impeached, the people I hear from expect that someone who abuses their public office by breaking the law can’t simply walk away. It can’t be that easy.

“Impeachment, in our state constitution, isn’t just about removal from office but disqualification from holding future office as well,” said Stec. “Mere hours after Cuomo announced he was going to resign, pundits were speculating on a potential political comeback story.”

Stec’s proposed amendment, if approved by two separately elected Legislatures and approved by voters on a statewide ballot, would amend Article 6, Section 24 of the state constitution by adding: “*The assembly’s power of impeachment shall extend to the impeachment of former office holders whom would otherwise qualify to be impeached under this section, for impeachable conduct while in office.*”

“Millions of tax dollars spent over the course of many months on legal expenses to gather testimony and documents now apparently point to what we’ve been told is ‘credible evidence’ substantiating allegations made against Governor Cuomo,” said Stec. “At the very least, we should see a full report of the Assembly Judiciary’s investigation. New Yorkers deserve nothing less.

“But I don’t believe that’s enough,” said Stec. “If there’s clear and convincing evidence, then impeachment is the logical next step. What local prosecutors do with any evidence that has or will be turned over to them is their prerogative. The Legislature, representative of the people who elected us, has a role and the point of my proposed amendment is to remove any doubt or ambiguity about that in the future.”

Stec is cosponsoring a separate proposed amendment that would prevent a public officer who is impeached from collecting pension benefits.