

382

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sens. RIVERA, SQUADRON -- read twice and ordered printed,
and when printed to be committed to the Committee on Finance

AN ACT to amend the public officers law, the executive law and the
legislative law, in relation to financial disclosure forms

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 3 of section 73-a of the public officers law,
2 as added by chapter 813 of the laws of 1987, the third and fourth undes-
3 ignated paragraphs of paragraph 3 as added and paragraph 4, subparagraph
4 (a) of paragraph 5, paragraphs 6, 9, 10, 11, subparagraph (b) of para-
5 graph 12 and paragraphs 13, 14, 15, 16, 17, 18 and 19 as amended by
6 chapter 242 of the laws of 1989, is amended to read as follows:

7 3. The annual statement of financial disclosure shall contain the
8 [information and shall be in the form] LANGUAGE set forth hereinbelow:

9 ANNUAL STATEMENT OF FINANCIAL DISCLOSURE - (For calendar year _____)

10 1. Name _____
11 2. (a) Title of Position _____
12 (b) Department, Agency or other Governmental Entity _____
13 (c) Address of Present Office _____
14 (d) Office Telephone Number _____
15 3. (a) Marital Status _____. If married, OR IN A DOMESTIC
16 PARTNERSHIP, please give spouse's OR DOMESTIC PARTNER'S full
17 name including maiden name where applicable.
18 _____ .

19 (b) List the names of all unemancipated children.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD05460-04-1

1	
2	
3	
4	
5	

6 Answer each of the following questions completely, with respect to
 7 calendar year _____, unless another period or date is otherwise
 8 specified. If additional space is needed, attach additional pages.

9 Whenever a "value" or "amount" is required to be reported herein, such
 10 value or amount shall be reported as being within one of the following
 11 Categories: Category A - under \$5,000; Category B - \$5,000 to under
 12 \$20,000; Category C - \$20,000 to under [\$60,000] \$50,000; Category D -
 13 [\$60,000] \$50,000 to under \$100,000; Category E - \$100,000 to under
 14 [\$250,000] \$150,000; [and] Category F - [\$250,000] \$150,000 TO UNDER
 15 \$200,000; CATEGORY G - \$200,000 TO UNDER \$300,000; CATEGORY H - \$300,000
 16 TO UNDER \$400,000; CATEGORY I - \$400,000 TO UNDER \$500,000; CATEGORY J -
 17 \$500,000 TO UNDER \$600,000; CATEGORY K - \$600,000 TO UNDER \$700,000;
 18 CATEGORY L - \$700,000 TO UNDER \$800,000; CATEGORY M - \$800,000 TO UNDER
 19 \$900,000; CATEGORY N - \$900,000 TO UNDER \$1,000,000; AND CATEGORY O -
 20 \$1,000,000 or over. A reporting individual shall indicate the Category
 21 by letter only.

22 Whenever "income" is required to be reported herein, the term "income"
 23 shall mean the aggregate net income before taxes from the source identi-
 24 fied.

25 The term "calendar year" shall mean the year ending the December 31st
 26 preceding the date of filing of the annual statement.

27 4. (a) List any office, trusteeship, directorship, partnership, or
 28 position of any nature, whether compensated or not, held by the
 29 reporting individual with any firm, corporation, association, part-
 30 nership, or other organization other than the State of New York.
 31 Include compensated honorary positions; do NOT list membership or
 32 uncompensated honorary positions. If the listed entity was licensed
 33 by any state or local agency, was regulated by any state regulatory
 34 agency or local agency, or, as a regular and significant part of the
 35 business or activity of said entity, did business with, or had
 36 matters other than ministerial matters before, any state or local
 37 agency, list the name of any such agency.

38		State or
39	Position	Local Agency
40	Organization	
41		
42		
43		
44		

45 (b) List any office, trusteeship, directorship, partnership, or position
 46 of any nature, whether compensated or not, held by the spouse,
 47 DOMESTIC PARTNER or unemancipated child of the reporting individual,
 48 with any firm, corporation, association, partnership, or other
 49 organization other than the State of New York. Include compensated
 50 honorary positions; do NOT list membership or uncompensated honorary

positions. If the listed entity was licensed by any state or local agency, was regulated by any state regulatory agency or local agency, or, as a regular and significant part of the business or activity of said entity, did business with, or had matters other than ministerial matters before, any state or local agency, list the name of any such agency.

Position	Organization	State or Local Agency

5. (a) List the name, address and description of any [occupation,] employment (other than the employment listed under Item 2 above), trade, business [or], profession OR OCCUPATION engaged in by the reporting individual. If such activity was licensed by any state or local agency[,] OR was regulated by any state regulatory agency or local agency, [or, as a regular and significant part of the business or activity of said entity, did business with, or had matters other than ministerial matters before, any state or local agency,] list the name of any such agency.

Position	Name & Address of Organization	Description	State or Local Agency

(b) IF THE REPORTING INDIVIDUAL DID BUSINESS WITH OR HAD MATTERS OTHER THAN MINISTERIAL MATTERS BEFORE ANY STATE OR LOCAL AGENCY IN THE COURSE OF ANY EMPLOYMENT, TRADE, BUSINESS, PROFESSION OR OCCUPATION ENGAGED IN BY THE REPORTING INDIVIDUAL, LIST THE NAME AND ADDRESS OF THE ENTITY, A BRIEF DESCRIPTION OF THE ACTIVITY AND THE NAME OF ANY SUCH AGENCY.

NAME & ADDRESS OF ORGANIZATION	DESCRIPTION	STATE OR LOCAL AGENCY

(C) If the spouse, DOMESTIC PARTNER or unemancipated child of the reporting individual was engaged in any occupation, employment, trade, business or profession which activity was licensed by any state or local agency, was regulated by any state regulatory agency

or local agency, or, as a regular and significant part of the business or activity of said entity, did business with, or had matters other than ministerial matters before, any state or local agency, list the name, address and description of such occupation, employment, trade, business or profession and the name of any such agency.

Position	Name & Address of Organization	Description	State or Local Agency
----------	-----------------------------------	-------------	-----------------------------

6. List any interest, in EXCESS of \$1,000, held by the reporting individual, such individual's spouse, SUCH INDIVIDUAL'S DOMESTIC PARTNER or unemancipated child, or partnership of which any such person is a member, or corporation, 10% or more of the stock of which is owned or controlled by any such person, whether vested or contingent, in any contract made or executed by a state or local agency and include the name of the entity which holds such interest and the relationship of the reporting individual or such individual's spouse, SUCH INDIVIDUAL'S DOMESTIC PARTNER or such child to such entity and the interest in such contract. Do NOT include bonds and notes. Do NOT list any interest in any such contract on which final payment has been made and all obligations under the contract except for guarantees and warranties have been performed, provided, however, that such an interest must be listed if there has been an ongoing dispute during the calendar year for which this statement is filed with respect to any such guarantees or warranties. Do NOT list any interest in a contract made or executed by a local agency after public notice and pursuant to a process for competitive bidding or a process for competitive requests for proposals.

Self, Spouse, DOMESTIC PARTNER, or Child	Entity Which Held Interest in Contract	Relationship to Entity and Interest in Contract	Contracting State or Local Agency	Category of Value of Contract
--	---	--	--	--

7. List any position the reporting individual held as an officer of any political party or political organization, as a member of any political party committee, or as a political party district leader. The term "party" shall have the same meaning as "party" in the election law. The term "political organization" means any party or independent body as defined in the election law or any organization that is affiliated with or a subsidiary of a party or independent body.

1 _____
2 _____
3 _____
4 _____
5 _____

6 8. (a) If the reporting individual practices law, [is licensed by the
7 department of state as a real estate broker or agent or practices a
8 profession licensed by the department of education, give] LIST THE
9 NAME AND ADDRESS OF EACH CLIENT, PERSON OR ENTITY FOR WHOM LEGAL OR
10 CONSULTING SERVICES WERE RENDERED; THE VALUE OF THE COMPENSATION FOR
11 THE TAXABLE YEAR LAST OCCURRING PRIOR TO THE DATE OF FILING, AND a
12 general description of the [principal subject areas of matters
13 undertaken by such individual] SERVICES RENDERED. [Additionally, if
14 such an] IN ADDITION, IF THE REPORTING individual practices LAW OR
15 PROVIDES CONSULTING SERVICES with a LAW firm or [corporation and is
16 a partner or shareholder of the firm or corporation] BUSINESS
17 ENTITY, [give] PROVIDE a general description of THE principal
18 subject areas of matters undertaken by such LAW firm or [corpo-
19 ration] BUSINESS ENTITY. Do not list the [name of the individual
20 clients, customers or patients] VALUE OF COMPENSATION IF THE
21 SERVICES RENDERED INVOLVE A CONTINGENCY FEE AS PROVIDED BY LAW.
22 CLIENT/ SERVICES PRINCIPAL CATEGORY
23 PERSON/OR ADDRESS RENDERED SUBJECT AREA OF VALUE
24 ENTITY
25 _____
26 _____
27 _____
28 _____
29 _____

30 (b) [List the name, principal address and general description or the
31 nature of the business activity of any entity in which the reporting
32 individual or such individual's spouse had an investment in excess
33 of \$1,000 excluding investments in securities and interests in real
34 property] IF THE REPORTING INDIVIDUAL PRACTICES LAW AND IS A PARTNER
35 OR SHAREHOLDER OF A LAW FIRM OR CORPORATION ("LAW FIRM"), LIST THE
36 NAME AND ADDRESS OF EACH CLIENT OF SUCH LAW FIRM THAT IS A CORPO-
37 RATION, PARTNERSHIP, JOINT VENTURE, SOLE PROPRIETORSHIP, ASSOCI-
38 ATION, BUSINESS OR COMMERCIAL ENTITY OR ORGANIZATION FROM WHOM
39 COMPENSATION IS RECEIVED BY SUCH LAW FIRM IN EXCESS OF \$5,000 FOR
40 THE TAXABLE YEAR LAST OCCURRING PRIOR TO THE DATE OF FILING; THE
41 VALUE OF THE COMPENSATION; AND A GENERAL DESCRIPTION OF THE SERVICES
42 RENDERED OR CONSIDERATION GIVEN IN EXCHANGE FOR THE COMPENSATION. DO
43 NOT LIST CLIENTS OR COMPENSATION REQUIRED TO BE REPORTED IN ITEM
44 8(A) ABOVE.

CLIENT	ADDRESS	SERVICES/ CONSIDERATION	CATEGORY OF VALUE
--------	---------	----------------------------	----------------------

45
46
47
48
49
50
51

52 (C) IF THE REPORTING INDIVIDUAL IS LICENSED BY THE DEPARTMENT OF STATE
53 AS A REAL ESTATE BROKER OR AGENT, PRACTICES A PROFESSION LICENSED BY
54 THE DEPARTMENT OF EDUCATION OR PERFORMS CONSULTING SERVICES, LIST
55 THE NAME AND ADDRESS OF EACH CLIENT FROM WHOM COMPENSATION HAS BEEN

RECEIVED BY SUCH REPORTING INDIVIDUAL FOR A VALUE IN EXCESS OF \$1,000 FOR THE TAXABLE YEAR LAST OCCURRING PRIOR TO THE DATE OF FILING; THE VALUE OF THE COMPENSATION RECEIVED FROM EACH CLIENT; AND A GENERAL DESCRIPTION OF THE SERVICES RENDERED OR CONSIDERATION GIVEN IN EXCHANGE FOR THE COMPENSATION. DO NOT LIST THE NAMES OF CLIENTS OF CONSULTING OR OTHER SERVICES RENDERED AS PART OF ANY PRACTICE OR ACTIVITY REQUIRED TO BE REPORTED IN ITEM 8(A) ABOVE.

CLIENT	ADDRESS	SERVICES/CONSIDERATION	CATEGORY OF VALUE
--------	---------	------------------------	-------------------

(D) IF THE REPORTING INDIVIDUAL RECEIVED COMPENSATION FROM A CORPORATION, PARTNERSHIP, JOINT VENTURE, SOLE PROPRIETORSHIP, ASSOCIATION, BUSINESS OR COMMERCIAL ENTITY OR ORGANIZATION ("COMPENSATING ENTITY") AND THE REPORTING INDIVIDUAL SOLICITED BUSINESS OF ANOTHER CORPORATION, PARTNERSHIP, JOINT VENTURE, SOLE PROPRIETORSHIP, ASSOCIATION, BUSINESS OR COMMERCIAL ENTITY OR ORGANIZATION ("THIRD-PARTY ENTITY") FOR COMPENSATION, FEES OR OTHER CONSIDERATION PAID TO THE COMPENSATING ENTITY IN EXCESS OF \$1,000 FOR THE TAXABLE YEAR LAST OCCURRING PRIOR TO THE DATE OF FILING, LIST THE NAME AND BUSINESS ADDRESS OF, AND THE VALUE OF THE COMPENSATION, FEES OR OTHER CONSIDERATION PAID BY, THE THIRD-PARTY ENTITY TO THE COMPENSATING ENTITY. ALSO, LIST THE NAME AND ADDRESS OF THE COMPENSATING ENTITY AND GIVE A GENERAL DESCRIPTION OF THE SERVICES RENDERED OR CONSIDERATION GIVEN BY THE COMPENSATING ENTITY TO THE THIRD-PARTY ENTITY IN EXCHANGE FOR SUCH COMPENSATION.

COMPENSATING ENTITY/ ADDRESS	THIRD PARTY ENTITY/ADDRESS	SERVICES/ CONSIDERATION	CATEGORY OF VALUE
------------------------------	----------------------------	-------------------------	-------------------

(E) IF THE REPORTING INDIVIDUAL OR THE INDIVIDUAL'S SPOUSE OR THE INDIVIDUAL'S DOMESTIC PARTNER HAD AN INVESTMENT IN EXCESS OF \$1,000 FOR THE TAXABLE YEAR LAST OCCURRING PRIOR TO THE DATE OF FILING, LIST THE NAME, PRINCIPAL ADDRESS AND GENERAL DESCRIPTION OR THE NATURE OF THE BUSINESS ACTIVITY AND THE CATEGORY OF VALUE OF SUCH INVESTMENT. DO NOT LIST INVESTMENTS IN SECURITIES OR REAL PROPERTY.

INVESTMENT	ADDRESS	GENERAL DESCRIPTION, OR NATURE OF BUSINESS	CATEGORY OF VALUE
------------	---------	--	-------------------

9. List each source of gifts, EXCLUDING campaign contributions, in EXCESS of \$1,000, received during the reporting period for which this statement is filed by the reporting individual or such individual's spouse, SUCH INDIVIDUAL'S DOMESTIC PARTNER or unemancipated child from the same donor, EXCLUDING gifts from a relative. INCLUDE

the name and address of the donor. The term "gifts" does not include reimbursements, which term is defined in item 10. Indicate the value and nature of each such gift.

Self, Spouse, DOMESTIC PARTNER, or Child	Name of Donor	Address	Nature of Gift	Category of Value of Gift
--	------------------	---------	-------------------	------------------------------------

10. Identify and briefly describe the source of any reimbursements for expenditures, EXCLUDING campaign expenditures and expenditures in connection with official duties reimbursed by the state, in EXCESS of \$1,000 from each such source. For purposes of this item, the term "reimbursements" shall mean any travel-related expenses provided by nongovernmental sources and for activities related to the reporting individual's official duties such as, speaking engagements, conferences, or factfinding events. The term "reimbursements" does NOT include gifts reported under item 9.

Source	Description
--------	-------------

11. List the identity and value, if reasonably ascertainable, of each interest in a trust, estate or other beneficial interest, including retirement plans (other than retirement plans of the state of New York or the city of New York[,]) and deferred compensation plans (e.g., 401, 403(b), 457, etc.) established in accordance with the internal revenue code, in which the REPORTING INDIVIDUAL held a beneficial interest in EXCESS of \$1,000 at any time during the preceding year. Do NOT report interests in a trust, estate or other beneficial interest established by or for, or the estate of, a relative.

Identity	Category of Value*
----------	-----------------------

* The value of such interest shall be reported only if reasonably ascertainable.

12. (a) Describe the terms of, and the parties to, any contract, promise, or other agreement between the reporting individual and any person, firm, or corporation with respect to the employment of such individual after leaving office or position (other than a leave of absence).

(b) Describe the parties to and the terms of any agreement providing for continuation of payments or benefits to the REPORTING INDIVIDUAL in EXCESS of \$1,000 from a prior employer OTHER THAN the State. (This includes interests in or contributions to a pension fund, profit-sharing plan, or life or health insurance; buy-out agreements; severance payments; etc.)

13. List below the nature and amount of any income in EXCESS of \$1,000 from EACH SOURCE for the reporting individual and such individual's spouse OR SUCH INDIVIDUAL'S DOMESTIC PARTNER for the taxable year last occurring prior to the date of filing. Nature of income includes, but is not limited to, all income [(other than that received from the employment listed under Item 2 above)] from compensated employment whether public or private, directorships and other fiduciary positions, contractual arrangements, teaching income, partnerships, honorariums, lecture fees, consultant fees, bank and bond interest, dividends, income derived from a trust, real estate rents, and recognized gains from the sale or exchange of real or other property. Income from a business or profession and real estate rents shall be reported with the source identified by the building address in the case of real estate rents and otherwise by the name of the [entity and not by the name of the] individual customers[,] OR clients [or tenants], with the aggregate net income before taxes for each building address or [entity] CLIENT. [The] A SOURCE IS IDENTIFIED AS THE ORIGINAL PAYER OF COMPENSATION TO THE REPORTING INDIVIDUAL OR AN ENTITY ESTABLISHED BY THE REPORTING INDIVIDUAL, NOT AN INTERMEDIARY ENTITY ESTABLISHED BY THE REPORTING INDIVIDUAL TO RECEIVE SUCH COMPENSATION. DO NOT LIST COMPENSATION RECEIVED FROM THE EMPLOYMENT LISTED UNDER ITEM 2 ABOVE, OR CLIENTS AND COMPENSATION REQUIRED TO BE REPORTED IN ITEMS 8(A), 8(B) OR 8(C) ABOVE, OR THE receipt of maintenance received in connection with a matrimonial action, alimony and child support payments [shall not be listed].

Self/
Spouse, OR
DOMESTIC
PARTNER

Source

Nature

Category
of Amount

1 _____
2 _____
3 _____
4 _____
5 _____

6 14. List the sources of any deferred income (not retirement income) in
7 EXCESS of \$1,000 from each source to be paid to the reporting indi-
8 vidual following the close of the calendar year for which this
9 disclosure statement is filed, other than deferred compensation
10 reported in item 11 hereinabove. Deferred income derived from the
11 practice of a profession shall be listed in the aggregate and shall
12 identify as the source, the name of the firm, corporation, partner-
13 ship or association through which the income was derived, but shall
14 not identify individual clients.

15		Category
16	Source	of Amount
17	_____	
18	_____	
19	_____	
20	_____	
21	_____	

22 15. List each assignment of income in EXCESS of \$1,000, and each trans-
23 fer other than to a relative during the reporting period for which
24 this statement is filed for less than fair consideration of an
25 interest in a trust, estate or other beneficial interest, securities
26 or real property, by the reporting individual, in excess of \$1,000,
27 which would otherwise be required to be reported herein and is not
28 or has not been so reported.

29	Item Assigned	Assigned or	Category
30	or Transferred	Transferred to	of Value
31	_____		
32	_____		
33	_____		
34	_____		
35	_____		

36 16. List below the type and market value of securities held by the
37 reporting individual [or], such individual's spouse OR THE REPORTING
38 INDIVIDUAL'S DOMESTIC PARTNER from each issuing entity in EXCESS of
39 \$1,000 at the close of the taxable year last occurring prior to the
40 date of filing, including the name of the issuing entity exclusive
41 of securities held by the reporting individual issued by a profes-
42 sional corporation. Whenever an interest in securities exists
43 through a beneficial interest in a trust, the securities held in
44 such trust shall be listed ONLY IF the reporting individual has
45 knowledge thereof except where the reporting individual [or], the
46 reporting individual's spouse OR THE REPORTING INDIVIDUAL'S DOMESTIC
47 PARTNER has transferred assets to such trust for his or her benefit
48 in which event such securities shall be listed unless they are not

ascertainable by the reporting individual because the trustee is under an obligation or has been instructed in writing not to disclose the contents of the trust to the reporting individual. Securities of which the reporting individual [or], the reporting individual's spouse OR THE REPORTING INDIVIDUAL'S DOMESTIC PARTNER is the owner of record but in which such individual [or], the reporting individual's spouse OR THE REPORTING INDIVIDUAL'S DOMESTIC PARTNER has no beneficial interest shall not be listed. Indicate percentage of ownership ONLY if the reporting person [or], the reporting person's spouse OR THE REPORTING INDIVIDUAL'S DOMESTIC PARTNER holds more than five percent (5%) of the stock of a corporation in which the stock is publicly traded or more than ten percent (10%) of the stock of a corporation in which the stock is NOT publicly traded. Also list securities owned for investment purposes by a corporation more than fifty percent (50%) of the stock of which is owned or controlled by the reporting individual [or], such individual's spouse OR SUCH INDIVIDUAL'S DOMESTIC PARTNER. For the purpose of this item the term "securities" shall mean mutual funds, bonds, mortgages, notes, obligations, warrants and stocks of any class, investment interests in limited or general partnerships and certificates of deposits (CDs) and such other evidences of indebtedness and certificates of interest as are usually referred to as securities. The market value for such securities shall be reported only if reasonably ascertainable and shall not be reported if the security is an interest in a general partnership that was listed in item 8 (a) or if the security is corporate stock, NOT publicly traded, in a trade or business of a reporting individual [or], a reporting individual's spouse OR A REPORTING INDIVIDUAL'S DOMESTIC PARTNER.

			Percentage of corporate stock owned or controlled (if more than 5% of pub- licly traded stock, or more than 10% if stock not publicly traded, is held)	Category of Market Value as of the close of the taxable year last occurring prior to the filing of this statement
Self/ Spouse, Entity OR DOMESTIC PARTNER	Issuing Entity	Type of Security		

17. List below the location, size, general nature, acquisition date, market value and percentage of ownership of any real property in which any vested or contingent interest in EXCESS of \$1,000 is held by the reporting individual [or], the reporting individual's spouse

OR THE REPORTING INDIVIDUAL'S DOMESTIC PARTNER. Also list real property owned for investment purposes by a corporation more than fifty percent 50% of the stock of which is owned or controlled by the reporting individual [or], such individual's spouse OR THE REPORTING INDIVIDUAL'S DOMESTIC PARTNER. Do NOT list any real property which is the primary or secondary personal residence of the reporting individual [or], the reporting individual's spouse OR THE REPORTING INDIVIDUAL'S DOMESTIC PARTNER, except where there is a co-owner who is other than a relative.

Self/ Spouse DOMESTIC PARTNER/ Corporation	Location	Size	General Nature	Acquisition Date	Percentage of Ownership	Category of Market Value
--	----------	------	-------------------	---------------------	-------------------------------	-----------------------------------

18. List below all notes and accounts receivable, other than from goods or services sold, held by the reporting individual at the close of the taxable year last occurring prior to the date of filing and other debts owed to such individual at the close of the taxable year last occurring prior to the date of filing, in EXCESS of \$1,000, including the name of the debtor, type of obligation, date due and the nature of the collateral securing payment of each, if any, excluding securities reported in item 16 hereinabove. Debts, notes and accounts receivable owed to the individual by a relative shall not be reported.

Name of Debtor	Type of Obligation, Date Due, and Nature of Collateral, if any	Category of Amount
----------------	--	--------------------------

19. List below all liabilities of the reporting individual and such individual's spouse[,] OR SUCH INDIVIDUAL'S DOMESTIC PARTNER in EXCESS of \$5,000 as of the date of filing of this statement, other than liabilities to a relative. Do NOT list liabilities incurred by, or guarantees made by, the reporting individual [or], such individual's spouse OR SUCH INDIVIDUAL'S DOMESTIC PARTNER or by any proprietorship, partnership or corporation in which the reporting individual [or], such individual's spouse OR SUCH INDIVIDUAL'S DOMESTIC PARTNER has an interest, when incurred or made in the ordinary course of the trade, business or professional practice of the reporting individual [or], such individual's spouse OR SUCH INDIVIDUAL'S DOMESTIC PARTNER. Include the name of the creditor and any collateral pledged by such individual to secure payment of any such

liability. A reporting individual shall not list any obligation to pay maintenance in connection with a matrimonial action, alimony or child support payments. Any loan issued in the ordinary course of business by a financial institution to finance educational costs, the cost of home purchase or improvements for a primary or secondary residence, or purchase of a personally owned motor vehicle, household furniture or appliances shall be excluded. If any such reportable liability has been guaranteed by any third person, list the liability and name the guarantor.

Name of Creditor or Guarantor	Type of Liability and Collateral, if any	Category of Amount
----------------------------------	---	--------------------------

The requirements of law relating to the reporting of financial interests are in the public interest and no adverse inference of unethical or illegal conduct or behavior will be drawn merely from compliance with these requirements.

(Signature of Reporting Individual)	Date (month/day/year)
-------------------------------------	-----------------------

S 2. The public officers law is amended by adding a new section 74-b to read as follows:

S 74-B. REPORTS OF BUSINESS DEALINGS WITH LOBBYISTS. 1. A PUBLIC OFFICER WHO IS SUBJECT TO THE JURISDICTION OF THE RELEVANT ETHICS COMMISSION WHO RETAINS, EMPLOYS, DESIGNATES OR OTHERWISE DOES BUSINESS WITH A LOBBYIST OR LOBBYISTS SHALL, WITHIN THIRTY DAYS OF THE DATE UPON WHICH SUCH BUSINESS DEALINGS COMMENCE, FILE WITH THE EXECUTIVE ETHICS AND COMPLIANCE COMMISSION A REPORT OF SUCH BUSINESS DEALINGS. SUCH REPORTS SHALL BE FILED ON FORMS SUPPLIED BY SUCH COMMISSION AND SHALL CONTAIN:

- (A) THE NAME, ADDRESS AND TELEPHONE NUMBER OF THE PUBLIC OFFICER;
- (B) THE NAME, ADDRESS AND TELEPHONE NUMBER OF EACH LOBBYIST RETAINED, EMPLOYED OR DESIGNATED BY SUCH PUBLIC OFFICER OR WITH WHOM SUCH PUBLIC OFFICER DID BUSINESS;
- (C) A DESCRIPTION OF THE GENERAL SUBJECT OR SUBJECTS OF THE TRANSACTIONS BETWEEN THE PUBLIC OFFICER AND THE LOBBYIST OR LOBBYISTS; AND
- (D) THE COMPENSATION, INCLUDING EXPENSES, TO BE PAID BY VIRTUE OF THE BUSINESS DEALINGS.

2. A LEGISLATOR OR LEGISLATIVE EMPLOYEE WHO RETAINS, EMPLOYS, DESIGNATES OR OTHERWISE DOES BUSINESS WITH A LOBBYIST OR LOBBYISTS SHALL, WITHIN THIRTY DAYS OF THE DATE UPON WHICH SUCH BUSINESS DEALINGS COMMENCE, FILE WITH THE JOINT LEGISLATIVE COMMISSION ON ETHICS STANDARDS A REPORT OF SUCH BUSINESS DEALINGS. SUCH REPORTS SHALL BE FILED ON FORMS SUPPLIED BY SUCH COMMISSION AND SHALL CONTAIN:

- (A) THE NAME, ADDRESS AND TELEPHONE NUMBER OF THE PUBLIC OFFICER;
- (B) THE NAME, ADDRESS AND TELEPHONE NUMBER OF EACH LOBBYIST RETAINED, EMPLOYED OR DESIGNATED BY SUCH PUBLIC OFFICER OR WITH WHOM SUCH PUBLIC OFFICER DID BUSINESS;

1 (C) A DESCRIPTION OF THE GENERAL SUBJECT OR SUBJECTS OF THE TRANS-
2 ACTIONS BETWEEN THE PUBLIC OFFICER AND THE LOBBYIST OR LOBBYISTS; AND
3 (D) THE COMPENSATION, INCLUDING EXPENSES, TO BE PAID BY VIRTUE OF THE
4 BUSINESS DEALINGS.

5 3. ALL SUCH REPORTS SHALL BE SUBJECT TO REVIEW BY THE RELEVANT ETHICS
6 COMMISSION.

7 4. SUCH REPORTS SHALL BE KEPT ON FILE FOR A PERIOD OF THREE YEARS,
8 SHALL BE OPEN TO PUBLIC INSPECTION DURING SUCH PERIOD AND ACCESS TO SUCH
9 INFORMATION SHALL ALSO BE MADE AVAILABLE FOR REMOTE COMPUTER USERS
10 THROUGH THE INTERNET NETWORK.

11 S 3. Subdivision 9 of section 94 of the executive law is amended by
12 adding a new paragraph (n) to read as follows:

13 (N) A STATEWIDE ELECTED OFFICIAL, STATE OFFICER OR EMPLOYEE OR CANDI-
14 DATE FOR STATEWIDE ELECTED OFFICE MAY NOT DISCLOSE INFORMATION REGARDING
15 A CLIENT, PERSON, OR ENTITY REQUIRED UNDER THE ANNUAL STATEMENT OF
16 FINANCIAL DISCLOSURE PURSUANT TO SUBPARAGRAPH (A), (B) OR (C) OF PARA-
17 GRAPH EIGHT OF SUBDIVISION THREE OF SECTION SEVENTY-THREE-A OF THE
18 PUBLIC OFFICERS LAW, IF SUCH DISCLOSURE OF THE CLIENT, PERSON, OR ENTI-
19 TY'S REQUIRED INFORMATION WOULD VIOLATE A LEGALLY RECOGNIZED PRIVILEGE
20 UNDER NEW YORK LAW OR WITHIN THE PURVIEW OF THE ATTORNEY-CLIENT PRIVI-
21 LEGE, DISCLOSURE WOULD CREATE AN UNREASONABLE HARDSHIP, IN THAT SUCH
22 DISCLOSURE WOULD CONVEY THE SUBSTANCE OF A CONFIDENTIAL COMMUNICATION
23 BETWEEN CLIENT AND ATTORNEY. SUCH A CLIENT, PERSON, OR ENTITY'S
24 REQUIRED INFORMATION UNDER SUBPARAGRAPH (A), (B) OR (C) OF PARAGRAPH
25 EIGHT OF SUBDIVISION THREE OF SECTION SEVENTY-THREE-A OF THE PUBLIC
26 OFFICERS LAW MAY BE WITHHELD IN ACCORDANCE WITH THE FOLLOWING PROCEDURE:

27 (I) A STATEWIDE ELECTED OFFICIAL, STATE OFFICER OR EMPLOYEE OR CANDI-
28 DATE FOR STATEWIDE ELECTED OFFICE WHO BELIEVES THAT A CLIENT, PERSON, OR
29 ENTITY'S REQUIRED INFORMATION UNDER THE ANNUAL STATEMENT OF FINANCIAL
30 DISCLOSURE PURSUANT TO SUBPARAGRAPH (A), (B) OR (C) OF PARAGRAPH EIGHT
31 OF SUBDIVISION THREE OF SECTION SEVENTY-THREE-A OF THE PUBLIC OFFICERS
32 LAW IS PROTECTED BY A LEGALLY RECOGNIZED PRIVILEGE OR UNREASONABLE HARD-
33 SHIP MAY DECLINE TO REPORT THE REQUIRED INFORMATION, BUT SHALL FILE WITH
34 HIS OR HER ANNUAL STATEMENT OF FINANCIAL DISCLOSURE AN EXPLANATION FOR
35 SUCH NONDISCLOSURE. THE EXPLANATION SHALL SEPARATELY STATE FOR EACH
36 UNDISCLOSED CLIENT, PERSON, OR ENTITY, THE LEGAL BASIS FOR ASSERTION OF
37 THE PRIVILEGE OR UNREASONABLE HARDSHIP AND, AS SPECIFICALLY AS POSSIBLE
38 WITHOUT DEFEATING THE PRIVILEGE OR UNREASONABLE HARDSHIP, FACTS WHICH
39 DEMONSTRATE WHY THE PRIVILEGE OR UNREASONABLE HARDSHIP IS APPLICABLE.

40 (II) WITH RESPECT TO EACH UNDISCLOSED CLIENT, PERSON, OR ENTITY, THE
41 STATEWIDE ELECTED OFFICIAL, STATE OFFICER OR EMPLOYEE OR CANDIDATE FOR
42 STATEWIDE ELECTED OFFICE SHALL STATE THAT TO THE BEST OF HIS OR HER
43 KNOWLEDGE HE OR SHE HAS NOT AND WILL NOT MAKE, PARTICIPATE IN MAKING, OR
44 IN ANY WAY ATTEMPT TO USE AN OFFICIAL POSITION TO INFLUENCE A GOVERN-
45 MENTAL DECISION WHEN TO DO SO CONSTITUTED OR WOULD CONSTITUTE A CRIME OR
46 VIOLATION OF ANY LOCAL, STATE OR FEDERAL LAW.

47 (III) THE EXECUTIVE DIRECTOR MAY REQUEST FURTHER INFORMATION FROM THE
48 STATEWIDE ELECTED OFFICIAL, STATE OFFICER OR EMPLOYEE OR CANDIDATE FOR
49 STATEWIDE ELECTED OFFICE AND, IF NO LEGAL OR FACTUAL JUSTIFICATION
50 SUFFICIENT TO SUPPORT ASSERTION OF THE PRIVILEGE OR UNREASONABLE HARD-
51 SHIP IS SHOWN, MAY ORDER THAT THE DISCLOSURE REQUIRED BY THE ANNUAL
52 STATEMENT OF FINANCIAL DISCLOSURE PURSUANT TO SUBPARAGRAPH (A), (B) OR
53 (C) OF PARAGRAPH EIGHT OF SUBDIVISION THREE OF SECTION SEVENTY-THREE-A
54 OF THE PUBLIC OFFICERS LAW BE MADE. THE STATEWIDE ELECTED OFFICIAL,
55 STATE OFFICER OR EMPLOYEE OR CANDIDATE FOR STATEWIDE ELECTED OFFICE
56 SHALL, WITHIN FOURTEEN DAYS AFTER RECEIPT OF AN ORDER FROM THE EXECUTIVE

1 DIRECTOR, EITHER COMPLY WITH THE ORDER OR, IF HE OR SHE WANTS TO CHAL-
2 LENGE THE DETERMINATION OF THE EXECUTIVE DIRECTOR APPEAL THE DETERMI-
3 NATION, IN WRITING, TO THE COMMISSION. THE EXECUTIVE DIRECTOR MAY, FOR
4 GOOD CAUSE, EXTEND ANY OF THE TIME FOR A PERIOD OF FOURTEEN DAYS.

5 (IV) IF THE EXECUTIVE DIRECTOR DETERMINES THAT NONDISCLOSURE IS JUSTI-
6 FIED BECAUSE OF THE EXISTENCE OF A PRIVILEGE OR UNREASONABLE HARDSHIP,
7 THE MATTER SHALL BE REFERRED TO THE COMMISSION.

8 (V) THE COMMISSION SHALL REVIEW AN APPEAL FILED UNDER SUBPARAGRAPH
9 (III) OF THIS PARAGRAPH OR A RECOMMENDATION MADE BY THE EXECUTIVE DIREC-
10 TOR UNDER SUBPARAGRAPH (IV) OF THIS PARAGRAPH AT A MEETING HELD NO LESS
11 THAN FOURTEEN DAYS AFTER NOTICE OF THE MEETING IS MAILED TO THE STATE-
12 WIDE ELECTED OFFICIAL, STATE OFFICER OR EMPLOYEE OR CANDIDATE FOR STATE-
13 WIDE ELECTED OFFICE. THE COMMISSION SHALL DECIDE WHETHER NONDISCLOSURE
14 IS WARRANTED BY ISSUING AN OPINION PURSUANT TO SUBDIVISION FIFTEEN OF
15 THIS SECTION AND SHALL TREAT THE EXPLANATION FOR NONDISCLOSURE ACCOMPA-
16 NYING THE STATEWIDE ELECTED OFFICIAL, STATE OFFICER OR EMPLOYEE OR
17 CANDIDATE FOR STATEWIDE ELECTED OFFICE'S ANNUAL STATEMENT OF FINANCIAL
18 DISCLOSURE AS AN OPINION REQUEST.

19 (VI) IF THE COMMISSION ORDERS A STATEWIDE ELECTED OFFICIAL, STATE
20 OFFICER OR EMPLOYEE OR CANDIDATE FOR STATEWIDE ELECTED OFFICE TO
21 DISCLOSE, THE STATEWIDE ELECTED OFFICIAL, STATE OFFICER OR EMPLOYEE OR
22 CANDIDATE FOR STATEWIDE ELECTED OFFICE MUST COMPLY WITHIN FOURTEEN DAYS.
23 THE COMMISSION, IN ITS NOTIFICATION TO DISCLOSE A CLIENT, PERSON, OR
24 ENTITY'S INFORMATION REQUIRED BY THE ANNUAL STATEMENT OF FINANCIAL
25 DISCLOSURE PURSUANT TO SUBPARAGRAPH (A), (B) OR (C) OF PARAGRAPH EIGHT
26 OF SUBDIVISION THREE OF SECTION SEVENTY-THREE-A OF THE PUBLIC OFFICERS
27 LAW, SHALL INFORM THE PERSON OF HIS OR HER RIGHT TO APPEAL THE COMMIS-
28 SION'S DETERMINATION PURSUANT TO ITS RULES GOVERNING ADJUDICATORY
29 PROCEEDINGS AND APPEALS ADOPTED PURSUANT TO SUBDIVISION THIRTEEN OF THIS
30 SECTION;

31 S 4. The legislative law is amended by adding a new section 81 to read
32 as follows:

33 S 81. EXCEPTIONS TO FINANCIAL DISCLOSURE. A MEMBER OF THE LEGISLA-
34 TURE, LEGISLATIVE EMPLOYEE OR CANDIDATE FOR MEMBER OF THE LEGISLATURE
35 MAY NOT DISCLOSE INFORMATION REGARDING A CLIENT, PERSON, OR ENTITY
36 REQUIRED UNDER THE ANNUAL STATEMENT OF FINANCIAL DISCLOSURE PURSUANT TO
37 SUBPARAGRAPH (A), (B) OR (C) OF PARAGRAPH EIGHT OF SUBDIVISION THREE OF
38 SECTION SEVENTY-THREE-A OF THE PUBLIC OFFICERS LAW, IF SUCH DISCLOSURE
39 OF THE CLIENT, PERSON, OR ENTITY'S REQUIRED INFORMATION WOULD VIOLATE A
40 LEGALLY RECOGNIZED PRIVILEGE UNDER NEW YORK LAW OR WITHIN THE PURVIEW OF
41 THE ATTORNEY-CLIENT PRIVILEGE, DISCLOSURE WOULD CREATE AN UNREASONABLE
42 HARDSHIP, IN THAT SUCH DISCLOSURE WOULD CONVEY THE SUBSTANCE OF CONFID-
43 ENTIAL COMMUNICATION BETWEEN CLIENT AND ATTORNEY. SUCH A CLIENT,
44 PERSON, OR ENTITY'S REQUIRED INFORMATION UNDER SUBPARAGRAPH (A), (B) OR
45 (C) OF PARAGRAPH EIGHT OF SUBDIVISION THREE OF SECTION SEVENTY-THREE-A
46 OF THE PUBLIC OFFICERS LAW MAY BE WITHHELD IN ACCORDANCE WITH THE
47 FOLLOWING PROCEDURE:

48 1. A MEMBER OF THE LEGISLATURE, LEGISLATIVE EMPLOYEE OR CANDIDATE FOR
49 MEMBER OF THE LEGISLATURE WHO BELIEVES THAT A CLIENT, PERSON, OR ENTI-
50 TY'S REQUIRED INFORMATION UNDER THE ANNUAL STATEMENT OF FINANCIAL
51 DISCLOSURE PURSUANT TO SUBPARAGRAPH (A), (B) OR (C) OF PARAGRAPH EIGHT
52 OF SUBDIVISION THREE OF SECTION SEVENTY-THREE-A OF THE PUBLIC OFFICERS
53 LAW IS PROTECTED BY A LEGALLY RECOGNIZED PRIVILEGE OR UNREASONABLE HARD-
54 SHIP MAY DECLINE TO REPORT THE REQUIRED INFORMATION, BUT SHALL FILE WITH
55 HIS OR HER ANNUAL STATEMENT OF FINANCIAL DISCLOSURE AN EXPLANATION FOR
56 SUCH NONDISCLOSURE. THE EXPLANATION SHALL SEPARATELY STATE FOR EACH

1 UNDISCLOSED CLIENT, PERSON, OR ENTITY THE LEGAL BASIS FOR ASSERTION OF
2 THE PRIVILEGE OR UNREASONABLE HARDSHIP AND, AS SPECIFICALLY AS POSSIBLE
3 WITHOUT DEFEATING THE PRIVILEGE OR UNREASONABLE HARDSHIP, FACTS WHICH
4 DEMONSTRATE WHY THE PRIVILEGE OR UNREASONABLE HARDSHIP IS APPLICABLE.

5 2. WITH RESPECT TO EACH UNDISCLOSED CLIENT, PERSON, OR ENTITY, THE
6 MEMBER OF THE LEGISLATURE, LEGISLATIVE EMPLOYEE OR CANDIDATE FOR MEMBER
7 OF THE LEGISLATURE SHALL STATE THAT TO THE BEST OF HIS OR HER KNOWLEDGE
8 HE OR SHE HAS NOT AND WILL NOT MAKE, PARTICIPATE IN MAKING, OR IN ANY
9 WAY ATTEMPT TO USE AN OFFICIAL POSITION TO INFLUENCE A GOVERNMENTAL
10 DECISION WHEN TO DO SO CONSTITUTED OR WOULD CONSTITUTE A CRIME OR
11 VIOLATION OF ANY LOCAL, STATE OR FEDERAL LAW.

12 3. THE EXECUTIVE DIRECTOR MAY REQUEST FURTHER INFORMATION FROM THE
13 MEMBER OF THE LEGISLATURE, LEGISLATIVE EMPLOYEE OR CANDIDATE FOR MEMBER
14 OF THE LEGISLATURE AND, IF NO LEGAL OR FACTUAL JUSTIFICATION SUFFICIENT
15 TO SUPPORT ASSERTION OF THE PRIVILEGE OR UNREASONABLE HARDSHIP IS SHOWN,
16 MAY ORDER THAT THE DISCLOSURE REQUIRED BY THE ANNUAL STATEMENT OF FINAN-
17 CIAL DISCLOSURE PURSUANT TO SUBPARAGRAPH (A), (B) OR (C) OF PARAGRAPH
18 EIGHT OF SUBDIVISION THREE OF SECTION SEVENTY-THREE-A OF THE PUBLIC
19 OFFICERS LAW BE MADE. THE MEMBER OF THE LEGISLATURE, LEGISLATIVE EMPLOY-
20 EE OR CANDIDATE FOR MEMBER OF THE LEGISLATURE SHALL, WITHIN FOURTEEN
21 DAYS AFTER RECEIPT OF AN ORDER FROM THE EXECUTIVE DIRECTOR, EITHER
22 COMPLY WITH THE ORDER OR, IF HE OR SHE WANTS TO CHALLENGE THE DETERMI-
23 NATION OF THE EXECUTIVE DIRECTOR, APPEAL THE DETERMINATION, IN WRITING,
24 TO THE COMMISSION. THE EXECUTIVE DIRECTOR MAY, FOR GOOD CAUSE, EXTEND
25 ANY OF THE TIME FOR A PERIOD OF FOURTEEN DAYS.

26 4. IF THE EXECUTIVE DIRECTOR DETERMINES THAT NONDISCLOSURE IS JUSTI-
27 FIED BECAUSE OF THE EXISTENCE OF A PRIVILEGE OR UNREASONABLE HARDSHIP,
28 THE MATTER SHALL BE REFERRED TO THE COMMISSION.

29 5. THE COMMISSION SHALL REVIEW AN APPEAL FILED UNDER SUBDIVISION THREE
30 OF THIS SECTION OR A RECOMMENDATION MADE BY THE EXECUTIVE DIRECTOR UNDER
31 SUBDIVISION FOUR OF THIS SECTION AT A MEETING HELD NO LESS THAN FOURTEEN
32 DAYS AFTER NOTICE OF THE MEETING IS MAILED TO THE MEMBER OF THE LEGISLA-
33 TURE, LEGISLATIVE EMPLOYEE OR CANDIDATE FOR MEMBER OF THE LEGISLATURE.
34 THE COMMISSION SHALL DECIDE WHETHER SUCH NONDISCLOSURE IS WARRANTED BY
35 ISSUING AN OPINION PURSUANT TO SUBDIVISION FIFTEEN OF THIS SECTION AND
36 SHALL TREAT THE EXPLANATION FOR NONDISCLOSURE ACCOMPANYING THE MEMBER OF
37 THE LEGISLATURE, LEGISLATIVE EMPLOYEE OR CANDIDATE FOR MEMBER OF THE
38 LEGISLATURE'S ANNUAL STATEMENT OF FINANCIAL DISCLOSURE AS AN OPINION
39 REQUEST.

40 6. IF THE COMMISSION ORDERS A MEMBER OF THE LEGISLATURE, LEGISLATIVE
41 EMPLOYEE OR CANDIDATE FOR MEMBER OF THE LEGISLATURE TO DISCLOSE, THE
42 MEMBER OF THE LEGISLATURE, LEGISLATIVE EMPLOYEE OR CANDIDATE FOR MEMBER
43 OF THE LEGISLATURE MUST COMPLY WITHIN FOURTEEN DAYS. THE COMMISSION, IN
44 ITS NOTIFICATION TO DISCLOSE A CLIENT, PERSON, OR ENTITY'S INFORMATION
45 REQUIRED BY THE ANNUAL STATEMENT OF FINANCIAL DISCLOSURE PURSUANT TO
46 SUBPARAGRAPH (A), (B) OR (C) OF PARAGRAPH EIGHT OF SUBDIVISION THREE OF
47 SECTION SEVENTY-THREE-A, SHALL INFORM THE PERSON OF HIS OR HER RIGHT TO
48 APPEAL THE COMMISSION'S DETERMINATION PURSUANT TO ITS RULES GOVERNING
49 ADJUDICATORY PROCEEDINGS AND APPEALS ADOPTED PURSUANT TO SUBDIVISION
50 THIRTEEN OF THIS SECTION.

51 S 5. Severability. If any clause, sentence, paragraph, section or part
52 of this act shall be adjudged by any court of competent jurisdiction to
53 be invalid, such judgment shall not affect, impair or invalidate the
54 remainder thereof, but shall be confined in its operation to the clause,
55 sentence, paragraph, section or part thereof directly involved in the
56 controversy in which such judgment shall have been rendered.

1 S 6. This act shall take effect on the first of January next succeed-
2 ing the date upon which it shall have become a law, and shall apply to
3 all fiscal years commencing on or after such date.