

STATE OF NEW YORK

2873

2023-2024 Regular Sessions

IN ASSEMBLY

January 27, 2023

Introduced by M. of A. KELLES, SIMON -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the public officers law, in relation to reporting of cryptocurrency holdings on the annual statement of financial disclosure

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 3 of section 73-a of the public officers law is
2 amended by adding a new paragraph 16-a to read as follows:

3 16-a. List below the type and market value of cryptocurrencies held by
4 the reporting individual or such individual's spouse in EXCESS of \$1,000
5 at the close of the taxable year last occurring prior to the date of
6 filing. Whenever an interest in cryptocurrencies exists through a bene-
7 ficial interest in a trust, the cryptocurrencies held in such trust
8 shall be listed ONLY IF the reporting individual has knowledge thereof
9 except where the reporting individual or the reporting individual's
10 spouse has transferred assets to such trust for his or her benefit in
11 which event such cryptocurrencies shall be listed unless they are not
12 ascertainable by the reporting individual because the trustee is under
13 an obligation or has been instructed in writing not to disclose the
14 contents of the trust to the reporting individual. Cryptocurrencies of
15 which the reporting individual or the reporting individual's spouse is
16 the owner of record but in which such individual or the reporting indi-
17 vidual's spouse has no beneficial interest shall not be listed. Also
18 list cryptocurrencies owned for investment purposes by a corporation
19 more than fifty percent (50%) of the stock of which is owned or
20 controlled by the reporting individual or such individual's spouse. For
21 the purposes of this item the term "cryptocurrency" shall mean a digital
22 currency in which encryption techniques are used to regulate the gener-
23 ation of units and currency and verify the transfer of funds, operating
24 independently from a central bank.

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

LBD03465-01-3

1		<u>Category of</u>
2		<u>Market Value</u>
3		<u>as of the close</u>
4		<u>of the taxable</u>
5		<u>year last</u>
6		<u>occurring</u>
7		<u>prior to</u>
8	<u>Self/</u>	<u>the filing of</u>
9	<u>Spouse</u>	<u>this statement</u>
10		<u>(In Table II)</u>
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12	<hr/>	
13	<hr/>	
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15	<hr/>	
16	§ 2. This act shall take effect on the first of January next succeed-	
17	ing the date upon which it shall have become a law.	