

STATE OF NEW YORK

407

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sen. SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the executive law, in relation to expanding the authority of the attorney general to investigate violations of the public officers law

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

1 Section 1. Section 63 of the executive law is amended by adding a new
2 subdivision 18 to read as follows:

3 18. Investigate the alleged violation of any provision of the public
4 officers law and prosecute any such person or persons believed to have
5 committed such violations, provided that nothing herein shall interfere
6 with the ability of district attorneys at any time to receive
7 complaints, investigate and prosecute any such crimes or violations
8 related to the public officers law. The attorney general may request and
9 shall receive, from any agency, department, division, board, bureau or
10 commission of the state, or any political subdivision thereof, cooper-
11 ation and assistance in the performance of their duties and may provide
12 assistance to any district attorney or law enforcement official request-
13 ing assistance in the investigation or prosecution of any violations of
14 the public officers law.

15 § 2. Subdivision 8 of section 63 of the executive law, as amended by
16 chapter 451 of the laws of 1977, is amended to read as follows:

17 8. Whenever in [~~his~~] the attorney-general's judgment the public inter-
18 est requires it, the attorney-general may, with the approval of the
19 governor, and when directed by the governor, shall, inquire into matters
20 concerning the public peace, public safety and public justice. For such
21 purpose [~~he~~] the attorney-general may, in [~~his~~] the attorney-general's
22 discretion, and without civil service examination, appoint and employ,

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

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1 and at pleasure remove, such deputies, officers and other persons as
2 ~~[he]~~ the attorney-general deems necessary, determine their duties and,
3 with the approval of the governor, fix their compensation. All appoint-
4 ments made pursuant to this subdivision shall be immediately reported to
5 the governor, and shall not be reported to any other state officer or
6 department. Payments of salaries and compensation of officers and
7 employees and of the expenses of the inquiry shall be made out of funds
8 provided by the legislature for such purposes, which shall be deposited
9 in a bank or trust company in the names of the governor and the attor-
10 ney-general, payable only on the draft or check of the attorney-general,
11 countersigned by the governor, and such disbursements shall be subject
12 to no audit except by the governor and the attorney-general. The attor-
13 ney-general, ~~[his]~~ the attorney-general's deputy, or other officer,
14 designated by ~~[him]~~ the attorney-general, is empowered to subpoena
15 witnesses, compel their attendance, examine them under oath before
16 ~~[himself]~~ themselves or a magistrate and require that any books, records,
17 documents or papers relevant or material to the inquiry be turned over
18 to ~~[him]~~ the attorney-general for inspection, examination or audit,
19 pursuant to the civil practice law and rules. If a person subpoenaed to
20 attend upon such inquiry fails to obey the command of a subpoena without
21 reasonable cause, or if a person in attendance upon such inquiry shall,
22 without reasonable cause, refuse to be sworn or to be examined or to
23 answer a question or to produce a book or paper, when ordered so to do
24 by the officer conducting such inquiry, ~~[he]~~ such person shall be guilty
25 of a misdemeanor. It shall be the duty of all public officers, their
26 deputies, assistants and subordinates, clerks and employees, and all
27 other persons, to render and furnish to the attorney-general, ~~[his]~~ the
28 attorney-general's deputy or other designated officer, when requested,
29 all information and assistance in their possession and within their
30 power. Each deputy or other officer appointed or designated to conduct
31 such inquiry shall make a weekly report in detail to the attorney-gener-
32 al, in form to be approved by the governor and the attorney-general,
33 which report shall be in duplicate, one copy of which shall be forth-
34 with, upon its receipt by the attorney-general, transmitted by ~~[him]~~ the
35 attorney-general to the governor. Any officer participating in such
36 inquiry and any person examined as a witness upon such inquiry who shall
37 disclose to any person other than the governor or the attorney-general
38 the name of any witness examined or any information obtained upon such
39 inquiry, except as directed by the governor or the attorney-general,
40 shall be guilty of a misdemeanor.

41 § 3. This act shall take effect immediately.