S T A T E O F N E W Y O R K

6879

2009-2010 Regular Sessions

I N A S S E M B L Y

March 13, 2009

Introduced by M. of A. GALEF, BALL, FINCH -- Multi-Sponsored by -- M. of A. CALHOUN, GIGLIO, MAYERSOHN, THIELE, TOWNSEND -- read once and referred to the Committee on Judiciary

AN ACT to amend the judiciary law, in relation to requiring disclosure of campaign contributions to judges by parties in an action and their counsel

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

Section 1. Subdivision 1 of section 212 of the judiciary law is amended by adding a new paragraph (w) to read as follows:

(W) ESTABLISH RULES AND REGULATIONS REQUIRING THAT IMMEDIATELY UPON THE ASSIGNMENT OF A MATTER TO A JUDGE, PARTIES AND THEIR COUNSEL DISCLOSE ANY CAMPAIGN CONTRIBUTION MADE TO SUCH JUDGE. SUCH RULES AND REGULATIONS SHALL PROVIDE THAT IN THE EVENT CONTRIBUTIONS IN EXCESS OF FIVE HUNDRED DOLLARS HAVE BEEN MADE IN THE PAST FIVE YEARS TO THE JUDGE'S CAMPAIGN BY A PARTY OR COUNSEL TO THE PARTY, THE JUDGE SHALL DISQUALIFY HIMSELF OR HERSELF UPON TIMELY APPLICATION MADE BY A PARTY WHO HAS MADE NO CONTRIBUTION TO THE CAMPAIGN. SUCH RULES AND REGULATIONS SHALL NOT PRECLUDE DISQUALIFICATION DUE TO ANY OTHER RULE OR REGULATION OR WITH RESPECT TO CONTRIBUTIONS LESS THAN FIVE HUNDRED DOLLARS OR MADE MORE THAN FIVE YEARS BEFORE THE ASSIGNMENT OF THE MATTER TO THE JUDGE.

S 2. The judiciary law is amended by adding a new section 487-a to read as follows:

S 487-A. ATTORNEY OR COUNSELOR DISCLOSURE. IMMEDIATELY UPON THE ASSIGNMENT OF A MATTER TO A JUDGE, THE ATTORNEY OR COUNSELOR IN THE ACTION SHALL DISCLOSE ANY CAMPAIGN CONTRIBUTION MADE TO SUCH JUDGE WHEN SUCH CONTRIBUTION WAS IN EXCESS OF FIVE HUNDRED DOLLARS AND IN THE PAST FIVE YEARS.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized and directed to be made and completed on or before such effective date.

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

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