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

6617

I N S E N A T E

January 20, 2010

Introduced by Sen. SCHNEIDERMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the public officers law, in relation to financial disclosure of public officers

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

Section 1. Subdivision 3 of section 73-a of the public officers law, as amended by a chapter of the laws of 2010, amending the executive law and other laws relating to governmental ethics and compliance, as proposed in legislative bill numbers S.6457 and A.9544, is amended to read as follows:

3. The annual statement of financial disclosure shall contain ALL OF the language set forth hereinbelow:

ANNUAL STATEMENT OF FINANCIAL DISCLOSURE - (For calendar year ________)

1. Name ____
2. (a) Title of Position ______________________________________
(b) Department, Agency or other Governmental Entity ____________
(c) Address of Present Office ________________________________
(d) Office Telephone Number _________________________________
3. (a) Marital Status ______________. If married, please give spouse's full name including maiden name where applicable.
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(b) List the names of all unemancipated children.

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

LBD15497-02-0

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

Whenever a "value" or "amount" is required to be reported herein, such value or amount shall be reported as being within one of the following Categories: Category A - under $5,000; Category B - $5,000 to under $20,000; Category C - $20,000 to under $60,000; Category D - $60,000 to under $100,000; Category E - $100,000 to under $250,000; [and] Category F - $250,000 to under [$1,000,000] $500,000; [and] Category G - $500,000 TO UNDER $1,000,000; AND CATEGORY F - $1,000,000 or over. A reporting individual shall indicate the Category by letter only.

Whenever "income" is required to be reported herein, the term "income" shall mean the aggregate net income before taxes from the source identified.

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

4. (a) List any office, trusteeship, directorship, partnership, or position of any nature, whether compensated or not, held by the reporting individual with any firm, corporation, association, partnership, or other organization other than the State of New York. Include compensated 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

(b) List any office, trusteeship, directorship, partnership, or position of any nature, whether compensated or not, held by the spouse or unemancipated child of the reporting individual, with any firm, corporation, association, partnership, or other organization other than the State of New York. Include compensated 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 employment (other than the employment listed under Item 2 above), trade, business, 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, 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 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 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 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 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.

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8. (a) If the reporting individual practices law[, is licensed by the department of state as a real estate broker or agent or practices a profession licensed by the department of education,] give a general description of the principal subject areas of matters undertaken by such individual. [If the nature of the reporting individual's practice or activities were such that no principal subject areas or matters were undertaken, give a general description of the practice or activities undertaken.] Additionally, if such an individual practices with a firm or corporation and is a partner or shareholder of the firm or corporation, give a general description of the principal subject areas of matters undertaken by such firm or corporation. [If the matters undertaken by such firm or corporation were such

that no principal subject areas or matters were undertaken, give a general description of the practice or activities undertaken.] Do not list the name of the individual clients[, customers or patients]; PROVIDED, HOWEVER THAT THE REPORTING INDIVIDUAL MUST LIST THE NAME AND ADDRESS OF EACH CLIENT THAT IS A CORPORATION, PARTNERSHIP, JOINT VENTURE, SOLE PROPRIETORSHIP, ASSOCIATION, OR OTHER BUSINESS OR COMMERCIAL ENTITY OR ORGANIZATION FROM WHOM COMPENSATION HAS BEEN RECEIVED IN EXCESS OF $1,000 ANNUALLY FOR LEGAL OR CONSULTING SERVICES RENDERED; THE VALUE OF THE COMPENSATION; AND A GENERAL DESCRIPTION OF THE SERVICES RENDERED OR CONSIDERATION GIVEN IN EXCHANGE FOR THE COMPENSATION.

GENERAL DESCRIPTION OF PRINCIPAL SUBJECT AREAS

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NAME OF ENTITY ADDRESS SERVICES/CONSIDERATION CATEGORY OF VALUE

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(b) IF THE REPORTING INDIVIDUAL IS LICENSED BY THE DEPARTMENT OF STATE AS A REAL ESTATE BROKER OR AGENT, PRACTICES A PROFESSION LICENSED BY THE DEPARTMENT OF EDUCATION OR PERFORMS CONSULTING SERVICES, NOT INCLUDING ANY CONSULTING OR OTHER SERVICES RENDERED AS PART OF ANY PRACTICE OR ACTIVITY REQUIRED TO BE DISCLOSED IN ITEM 8(A) OR CONSULTING OR OTHER SERVICES RENDERED AS PART OF A PROFESSION, PRACTICE OR ACTIVITY IDENTIFIED IN SECTIONS FORTY-FIVE HUNDRED FOUR, FORTY-FIVE HUNDRED FIVE, FORTY-FIVE HUNDRED SEVEN, FORTY-FIVE HUNDRED EIGHT AND FORTY-FIVE HUNDRED TEN OF THE CIVIL PRACTICE LAW AND RULES, THE REPORTING INDIVIDUAL MUST GIVE A GENERAL DESCRIPTION OF THE PRINCIPAL SUBJECT AREAS OF MATTERS UNDERTAKEN BY SUCH INDIVIDUAL AND MUST LIST THE NAME AND ADDRESS OF EACH CLIENT FROM WHOM COMPENSATION HAS BEEN RECEIVED FOR A VALUE IN EXCESS OF $1,000 ANNUALLY; 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.

GENERAL DESCRIPTION OF PRINCIPAL SUBJECT AREAS

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CLIENT ADDRESS SERVICES/CONSIDERATION CATEGORY OF VALUE

(C) List the name, principal address and general description or the nature of the business activity of any entity in which the reporting individual or such individual's spouse had an investment in excess of $1,000 excluding investments in securities and interests in real property.

[(c) If the reporting individual received income in EXCESS of $1,000 from consulting services, not including any services rendered as part of any practice or activity required to be disclosed in item 8(a) or services rendered as part of the practice or activity identified in sections forty-five hundred four, forty-five hundred five, forty-five hundred seven, forty-five hundred eight and forty-five hundred ten of the civil practice law and rules, provide the name and address of each client, the compensation received from each client, and a general description of the services rendered or consideration given.

Client	Address	Services/Consideration	Category of Value
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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 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 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).

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(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 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, clients or tenants, with the aggregate net income before taxes for each building address or entity. The receipt of maintenance received in connection with a matrimonial action, alimony and child support payments shall not be listed.

Self/ Spouse	Source	Nature	Category of Amount

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

Source	Category of Amount

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

Item Assigned or Transferred	Assigned or Transferred to	Category of Value

16. List below the type and market value of securities held by the reporting individual or such individual's spouse from each issuing entity in EXCESS of $1,000 at the close of the taxable year last occurring prior to the date of filing, including the name of the issuing entity exclusive of securities held by the reporting individual issued by a professional corporation. Whenever an interest in securities exists through a beneficial interest in a trust, the securities held in such trust shall be listed ONLY IF the reporting individual has knowledge thereof except where the reporting individual or the reporting individual's spouse has transferred assets to such trust for his or her benefit 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 is the owner of record but in which such individual or the reporting individual's spouse has no beneficial interest shall not be listed. Indicate percentage of ownership ONLY if the reporting person or the reporting person's spouse 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. 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.

Percentage
of corporate

Self/ Spouse	Issuing Entity	Type of Security	stock owned or controlled (if more than 5% of publicly 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

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. 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. Do NOT list any real property which is the primary or secondary personal residence of the reporting individual or the reporting individual's spouse, except where there is a co-owner who is other than a relative.

Self/ Spouse/ 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, 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 by any proprietorship, partnership or corporation in which the reporting individual or such individual's spouse 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. 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. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2010, amending the executive law and other laws relating to governmental ethics and compliance, as proposed in legislative bill numbers S.6457 and A.9544, takes effect.