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

1343

2009-2010 Regular Sessions

I N S E N A T E

January 28, 2009

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

AN ACT to amend the executive law, in relation to prohibiting charitable organizations registered in the state of New York from using any charitable donations for confidentiality agreements or closed settlement agreements

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

Section 1. The executive law is amended by adding a new section 172-e to read as follows:

S 172-E. PROHIBITS ANY CHARITABLE ORGANIZATION FROM USING CHARITABLE DONATIONS FOR CONFIDENTIALITY AGREEMENTS OR CLOSED SETTLEMENT AGREEMENTS. 1. ANY CHARITABLE ORGANIZATION REGISTERED IN THE STATE OF NEW YORK SHALL BE PROHIBITED FROM USING ANY CHARITABLE DONATION THAT THE CHARITABLE ORGANIZATION RECEIVES TO MAKE ANY SORT OF PAYMENT THAT ARISES AS A TERM OF A CONFIDENTIALITY AGREEMENT OR CLOSED SETTLEMENT AGREEMENT.

2. FOR THE PURPOSES OF THIS SECTION, "CONFIDENTIALITY AGREEMENT" OR "CLOSED SETTLEMENT AGREEMENT" SHALL MEAN ANY PRIVATE AGREEMENT OR COURT ORDERED AGREEMENT RESOLVING A CAUSE OF ACTION WHICH LIMITS THE POSSESSION, DISCLOSURE OR DISSEMINATION OF INFORMATION ABOUT ANY PART OF THE AGREEMENT.

S 2. This act shall take effect immediately and shall apply to agreements and proposed agreements entered into on or after such effective date.

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

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