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

5146--A

2011-2012 Regular Sessions

I N S E N A T E

May 3, 2011

Introduced by Sen. KRUEGER -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- recommitted to the Committee on Finance in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the legislative law and the election law, in relation to disclosures required for lobbyists

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

Section 1. Section 1-c of the legislative law is amended by adding a new subdivision (x) to read as follows:

(X) THE TERM "FAMILY MEMBER" SHALL MEAN ANY OF THE FOLLOWING, INCLUDING PARENTS, STEPPARENTS, SPOUSE, DOMESTIC PARTNERS, GRANDPARENTS, BROTHERS, SISTERS, UNCLES, AND AUNTS, WHETHER OF THE WHOLE BLOOD OR HALF BLOOD OR BY OR THROUGH LEGAL SANCTION.

S 2. Paragraph 5 of subdivision (b) of section 1-h of the legislative law is amended by adding two new subparagraphs (vi) and (vii) to read as follows:

(VI) THE CAMPAIGN CONTRIBUTIONS MADE, IN ANY FORM, TO ANY CAMPAIGN OR POLITICAL COMMITTEE IN NEW YORK STATE BY THE CLIENT BY WHOM OR ON WHOSE BEHALF THE LOBBYIST IS RETAINED, EMPLOYED OR DESIGNATED, BY THE LOBBYIST, AND BY ANY EMPLOYEES OF THE LOBBYIST.

(VII) THE AMOUNT OF COMPENSATION PAID AND THE NAMES OF ANY FAMILY MEMBERS OF A PUBLIC OFFICIAL TO WHOM A LOBBYIST AND THE CLIENT BY WHOM OR ON WHOSE BEHALF THE LOBBYIST IS RETAINED, EMPLOYED OR DESIGNATED HAS PAID COMPENSATION OF MORE THAN FIVE HUNDRED DOLLARS IN THE PRECEDING CALENDAR YEAR FOR PERSONAL EMPLOYMENT OR PROFESSIONAL SERVICES.

S 3. Subdivision (b) of section 1-h of the legislative law is amended by adding a new paragraph 6 to read as follows:

(6) THE NAME, ADDRESS AND TELEPHONE NUMBER OF ANY PUBLIC OFFICIAL WITH WHOM THE LOBBYIST HAS ANY BUSINESS RELATIONSHIP.

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

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S 4. Paragraph 5 of subdivision (b) of section 1-j of the legislative law is amended by adding two new subparagraphs (vi) and (vii) to read as follows:

(VI) THE CAMPAIGN CONTRIBUTIONS MADE, IN ANY FORM, TO ANY CAMPAIGN OR POLITICAL COMMITTEE IN NEW YORK STATE BY THE CLIENT BY WHOM OR ON WHOSE BEHALF THE LOBBYIST IS RETAINED, EMPLOYED OR DESIGNATED, BY THE LOBBYIST, AND BY ANY EMPLOYEES OF THE LOBBYIST.

(VII) THE AMOUNT OF COMPENSATION PAID AND THE NAMES OF ANY FAMILY MEMBERS OF A PUBLIC OFFICIAL TO WHOM A LOBBYIST AND THE CLIENT BY WHOM OR ON WHOSE BEHALF THE LOBBYIST IS RETAINED, EMPLOYED OR DESIGNATED HAS PAID COMPENSATION OF MORE THAN FIVE HUNDRED DOLLARS IN THE PRECEDING CALENDAR YEAR FOR PERSONAL EMPLOYMENT OR PROFESSIONAL SERVICES.

S 5. Subdivision (b) of section 1-j of the legislative law is amended by adding a new paragraph 7 to read as follows:

(7) THE NAME, ADDRESS AND TELEPHONE NUMBER OF ANY PUBLIC OFFICIAL WITH WHOM THE LOBBYIST HAS ANY BUSINESS RELATIONSHIP.

S 6. The election law is amended by adding three new sections 14-131, 14-132 and 14-133 to read as follows:

S 14-131. LOBBYIST REPORTING AND CONTRIBUTION LIMITS. 1. DEFINITIONS. THE FOLLOWING DEFINITIONS SHALL APPLY TO THIS SECTION:

A. "AGENT" MEANS ANY PERSON ACTING AT THE DIRECTION OF OR ON BEHALF OF AN INDIVIDUAL OR BUSINESS ENTITY;

B. "BUSINESS ENTITY" MEANS A BUSINESS CORPORATION, PROFESSIONAL SERVICES CORPORATION, LIMITED LIABILITY COMPANY, PARTNERSHIP, LIMITED PARTNERSHIP, BUSINESS TRUST, ASSOCIATION OR ANY OTHER LEGAL COMMERCIAL ENTITY ORGANIZED UNDER THE LAWS OF THIS STATE OR ANY OTHER STATE OR FOREIGN JURISDICTION, INCLUDING ANY SUBSIDIARY DIRECTLY OR INDIRECTLY CONTROLLED BY THE BUSINESS ENTITY, AND ANY POLITICAL ORGANIZATION, INCLUDING BUT NOT LIMITED TO ANY POLITICAL ORGANIZATION ORGANIZED UNDER SECTION 527 OF THE INTERNAL REVENUE CODE, THAT IS DIRECTLY OR INDIRECTLY CONTROLLED BY THE BUSINESS ENTITY;

C. "IMMEDIATE FAMILY" MEANS ANY SPOUSE OR CHILD OF AN INDIVIDUAL OR ANY FINANCIALLY DEPENDENT RELATIVES WHO RESIDE IN THE INDIVIDUAL'S HOUSEHOLD;

D. "HOUSEKEEPING ACCOUNT" MEANS AN ACCOUNT MAINTAINED BY A PARTY COMMITTEE OR CONSTITUTED COMMITTEE FROM WHICH EXPENDITURES ARE MADE TO MAINTAIN A PERMANENT HEADQUARTERS AND STAFF AND CARRY ON ORDINARY PARTY ACTIVITIES WHICH ARE NOT FOR THE EXPRESS PURPOSE OF PROMOTING THE CANDIDACY OF SPECIFIC CANDIDATES;

E. "CANDIDATE FOR STATE OFFICE" MEANS A CANDIDATE FOR THE FOLLOWING STATE OFFICES: GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY GENERAL, COMPTROLLER, SENATOR, AND MEMBER OF THE ASSEMBLY;

F. "BEHESTED PAYMENTS" MEANS CONTRIBUTIONS OR PAYMENTS SOLICITED BY STATE ELECTED OFFICIALS TO BE USED FOR LEGISLATIVE, GOVERNMENTAL OR CHARITABLE PURPOSES, BUT NOT CAMPAIGN PURPOSES; AND

G. "PERSONAL BUSINESS TRANSACTION" MEANS TRANSACTIONS FOR SERVICES OFFERED BY THE ELECTED OFFICIAL IN HIS OR HER CAPACITY AS A PRIVATE CITIZEN TO ANY MEMBER OF THE PUBLIC.

2. THE FOLLOWING PERSONS AND BUSINESS ENTITIES WHO MAKE A CONTRIBUTION TO A CANDIDATE FOR STATE OFFICE, A POLITICAL COMMITTEE WORKING DIRECTLY OR INDIRECTLY TO AID OR PARTICIPATE IN SUCH CANDIDATE'S NOMINATION OR ELECTION, A POLITICAL COMMITTEE ESTABLISHED OR CONTROLLED BY SUCH CANDIDATE, OR A STATE OR LOCAL COMMITTEE OF A POLITICAL PARTY, INCLUDING A HOUSEKEEPING ACCOUNT, SHALL FILE REPORTS AS REQUIRED BY SUBDIVISION THREE OF THIS SECTION WITH THE STATE BOARD OF ELECTIONS WITHIN SEVEN CALENDAR DAYS AFTER THE DATE OF A CONTRIBUTION:

A. A LOBBYIST REGISTERED UNDER SECTION ONE-E OF THE LEGISLATIVE LAW, INCLUDING ANY PERSON, ORGANIZATION, GROUP OF PERSONS OR BUSINESS ENTITY THAT IS SO REGISTERED;

B. ANY PERSON WHO OWNS MORE THAN TEN PERCENT OF A BUSINESS ENTITY DESCRIBED IN PARAGRAPH A OF THIS SUBDIVISION;

C. ANY PERSON EMPLOYED BY AN ORGANIZATION, GROUP, OR BUSINESS ENTITY DESCRIBED IN PARAGRAPH A OF THIS SUBDIVISION WHO HOLDS A SENIOR MANAGEMENT POSITION AS DEFINED BY THE COMMISSION ON GOVERNMENTAL ETHICS;

D. THE IMMEDIATE FAMILY MEMBER OF A PERSON WHO IS DESCRIBED IN PARAGRAPH A, B OR C OF THIS SUBDIVISION; OR

E. ANY POLITICAL COMMITTEE ESTABLISHED OR CONTROLLED BY A PERSON, ORGANIZATION, GROUP OF PERSONS OR BUSINESS ENTITY DESCRIBED IN PARAGRAPHS A, B, C OR D OF THIS SUBDIVISION.

3. THE BOARD OF ELECTIONS SHALL PRESCRIBE FORMS AND PROCEDURES FOR THE REPORTING REQUIRED IN SUBDIVISION TWO OF THIS SECTION WHICH, AT A MINIMUM, SHALL REQUIRE ELECTRONIC FILING OF THE FOLLOWING INFORMATION:

A. THE NAME, ADDRESS, EMPLOYER AND NAME OF SPOUSE OF THE PERSON MAKING THE CONTRIBUTION AND THE NAME OF THE SPOUSE'S EMPLOYER;

B. THE NAME OF THE CANDIDATE, POLITICAL COMMITTEE, OR STATE OR LOCAL COMMITTEE OF A POLITICAL PARTY, INCLUDING A HOUSEKEEPING ACCOUNT, RECEIVING THE CONTRIBUTION;

C. THE AMOUNT AND DATE OF THE CONTRIBUTION; AND

D. IF AN ORGANIZATION, GROUP OF PERSONS, OR BUSINESS ENTITY IS MAKING THE CONTRIBUTION:

(I) THE NAMES AND BUSINESS ADDRESSES OF ALL PERSONS WHO OWN MORE THAN TEN PERCENT OF THE ORGANIZATION, GROUP OR ENTITY; OR

(II) THE NAMES AND BUSINESS ADDRESSES OF ALL PERSONS EMPLOYED BY THE ORGANIZATION, GROUP, OR BUSINESS ENTITY WHO HOLD A SENIOR MANAGEMENT POSITION AS DEFINED BY THE COMMISSION ON GOVERNMENTAL ETHICS.

4. ELECTED OFFICIALS MUST REPORT ANY BEHESTED PAYMENTS THEY HAVE SOLICITED IF THEY TOTAL FIVE THOUSAND DOLLARS OR MORE PER CALENDAR YEAR FROM A SINGLE SOURCE WITHIN THIRTY DAYS OF THE DATE THE BEHESTED PAYMENT IS MADE ON FORMS PROSCRIBED BY THE COMMISSION ON GOVERNMENTAL ETHICS.

5. THE BOARD OF ELECTIONS SHALL MAINTAIN COMPLETED FORMS AND REPORTS DESCRIBED IN SUBDIVISION TWO OF THIS SECTION FOR PUBLIC INSPECTION BOTH AT THE BOARD OF ELECTIONS OFFICE AND THROUGH THE BOARD OF ELECTIONS ELECTRONIC FILING SYSTEM FOR CAMPAIGN FINANCE DISCLOSURE (EFS).

6. IT SHALL BE UNLAWFUL FOR ANY PERSON, ORGANIZATION, GROUP OF PERSONS OR BUSINESS ENTITY DESCRIBED IN PARAGRAPHS A, B, C, D AND E OF SUBDIVISION TWO OF THIS SECTION TO:

A. MAKE CONTRIBUTIONS TO A CANDIDATE FOR STATE OFFICE, A POLITICAL COMMITTEE WORKING DIRECTLY OR INDIRECTLY TO AID OR PARTICIPATE IN SUCH CANDIDATE'S NOMINATION OR ELECTION, OR A POLITICAL COMMITTEE ESTABLISHED OR CONTROLLED BY SUCH CANDIDATE THAT EXCEED THE FOLLOWING AMOUNTS PER ELECTION FOR THE FOLLOWING OFFICES:

(I) GOVERNOR: FIVE HUNDRED DOLLARS;

(II) LIEUTENANT GOVERNOR: FIVE HUNDRED DOLLARS;

(III) ATTORNEY GENERAL: FIVE HUNDRED DOLLARS;

(IV) COMPTROLLER: FIVE HUNDRED DOLLARS;

(V) SENATOR: THREE HUNDRED FIFTY DOLLARS; AND

(VI) MEMBER OF ASSEMBLY: TWO HUNDRED FIFTY DOLLARS;

B. MAKE CONTRIBUTIONS TO:

(I) POLITICAL COMMITTEES WORKING DIRECTLY OR INDIRECTLY TO AID OR PARTICIPATE IN THE NOMINATION OR ELECTION OF A CANDIDATE FOR THE OFFICES DESCRIBED IN SUBPARAGRAPHS (I), (II), (III), (IV), (V) AND (VI) OF PARAGRAPH A OF THIS SUBDIVISION, OR OTHER POLITICAL COMMITTEES ESTABLISHED

OR CONTROLLED BY A CANDIDATE FOR THE OFFICES DESCRIBED IN SUBPARAGRAPHS (I), (II), (III), (IV), (V) AND (VI) OF PARAGRAPH A OF THIS SUBDIVISION, THAT IN THE AGGREGATE EXCEED FOUR THOUSAND DOLLARS PER ELECTION; OR

(II) STATE OR LOCAL COMMITTEES OF A POLITICAL PARTY, OR ANY HOUSEKEEPING ACCOUNT, IN AN AMOUNT GREATER THAN ONE THOUSAND DOLLARS PER ELECTION, AND IN AN AGGREGATE TO ALL STATE OR LOCAL COMMITTEES OF POLITICAL PARTIES IN AN AGGREGATE THAT EXCEEDS TWO THOUSAND DOLLARS PER ELECTION;

C. TRANSMIT A CONTRIBUTION ON BEHALF OF ANOTHER TO, OR SOLICIT A CONTRIBUTION ON BEHALF OF:

(I) A CANDIDATE FOR ANY OF THE OFFICES FOR WHICH CONTRIBUTIONS ARE LIMITED UNDER PARAGRAPH A OF THIS SUBDIVISION;

(II) ANY POLITICAL COMMITTEE WORKING DIRECTLY OR INDIRECTLY TO AID OR PARTICIPATE IN THE NOMINATION OR ELECTION OF A CANDIDATE FOR OFFICE FOR WHICH THEIR CONTRIBUTIONS ARE LIMITED IN PARAGRAPH A OF THIS SUBDIVISION, OR ANY OTHER POLITICAL COMMITTEE ESTABLISHED OR CONTROLLED BY A CANDIDATE FOR THE OFFICES FOR WHICH THEIR CONTRIBUTIONS ARE LIMITED UNDER PARAGRAPH A OF THIS SUBDIVISION;

(III) A STATE OR LOCAL COMMITTEE OF A POLITICAL PARTY, INCLUDING A HOUSEKEEPING ACCOUNT;

D. PARTICIPATE IN ANY FUND-RAISING ACTIVITIES FOR:

(I) A CANDIDATE FOR ANY OF THE OFFICES FOR WHICH CONTRIBUTIONS ARE LIMITED UNDER PARAGRAPH A OF THIS SUBDIVISION;

(II) ANY POLITICAL COMMITTEE WORKING DIRECTLY OR INDIRECTLY TO AID OR PARTICIPATE IN THE NOMINATION OR ELECTION OF A CANDIDATE FOR OFFICE FOR WHICH THEIR CONTRIBUTIONS ARE LIMITED IN PARAGRAPH A OF THIS SUBDIVISION, OR ANY OTHER POLITICAL COMMITTEE ESTABLISHED OR CONTROLLED BY A CANDIDATE FOR THE OFFICES FOR WHICH THEIR CONTRIBUTIONS ARE LIMITED UNDER PARAGRAPH A OF THIS SUBDIVISION;

(III) A STATE OR LOCAL COMMITTEE OF A POLITICAL PARTY, INCLUDING A HOUSEKEEPING ACCOUNT;

E. SERVE AS CHAIRPERSON, TREASURER, OR ANY OTHER OFFICER OF:

(I) ANY POLITICAL COMMITTEE WORKING DIRECTLY OR INDIRECTLY TO AID OR PARTICIPATE IN THE NOMINATION OR ELECTION OF A CANDIDATE FOR OFFICE FOR WHICH THEIR CONTRIBUTIONS ARE LIMITED UNDER PARAGRAPH A OF THIS SUBDIVISION; OR

(II) ANY OTHER POLITICAL COMMITTEE ESTABLISHED OR CONTROLLED BY A CANDIDATE FOR WHICH THEIR CONTRIBUTIONS ARE LIMITED UNDER PARAGRAPH A OF THIS SUBDIVISION;

F. CONDUCT PERSONAL BUSINESS TRANSACTIONS IN AN AMOUNT OVER TWO THOUSAND DOLLARS IN ANY CALENDAR YEAR WITH A PUBLIC OFFICIAL HOLDING THE OFFICES FOR WHICH THEIR CONTRIBUTIONS ARE LIMITED UNDER PARAGRAPH A OF THIS SUBDIVISION;

G. DELIVER TO ANY CONDUIT OR INTERMEDIARY ANY CONTRIBUTION EARMARKED FOR A PARTICULAR CANDIDATE FOR THE OFFICES FOR WHICH THEIR CONTRIBUTIONS ARE LIMITED UNDER PARAGRAPH A OF THIS SUBDIVISION, OR ANY COMMITTEE WORKING DIRECTLY OR INDIRECTLY TO AID OR PARTICIPATE IN SUCH CANDIDATE'S NOMINATION OR ELECTION, OR ANY OTHER POLITICAL COMMITTEE ESTABLISHED OR CONTROLLED BY SUCH CANDIDATE; OR

H. KNOWINGLY TAKE OTHER STEPS TO CIRCUMVENT THE RESTRICTIONS IN THIS SUBSECTION.

7. NO CANDIDATE FOR STATE OFFICE, COMMITTEE WORKING DIRECTLY OR INDIRECTLY TO AID OR PARTICIPATE IN SUCH CANDIDATE'S NOMINATION OR ELECTION, OR ANY OTHER POLITICAL COMMITTEE ESTABLISHED OR CONTROLLED BY SUCH CANDIDATE SHALL ACCEPT CONTRIBUTIONS FROM ANY PERSON, ORGANIZATION, GROUP OF PERSONS, OR BUSINESS ENTITY DESCRIBED IN PARAGRAPH A, B, C, D

OR E OF SUBDIVISION TWO OF THIS SECTION THAT EXCEED THE FOLLOWING AMOUNTS PER ELECTION FOR THE FOLLOWING OFFICES:

A. GOVERNOR: FIVE HUNDRED DOLLARS;

B. LIEUTENANT GOVERNOR: FIVE HUNDRED DOLLARS;

C. COMPTROLLER: FIVE HUNDRED DOLLARS;

D. ATTORNEY GENERAL: FIVE HUNDRED DOLLARS;

E. SENATOR: THREE HUNDRED FIFTY DOLLARS; AND

F. MEMBER OF ASSEMBLY: TWO HUNDRED FIFTY DOLLARS.

8. NO STATE OR LOCAL POLITICAL PARTY COMMITTEES, INCLUDING ANY HOUSEKEEPING ACCOUNT, SHALL ACCEPT CONTRIBUTIONS IN AN AMOUNT GREATER THAN ONE THOUSAND DOLLARS PER ELECTION FROM ANY PERSON, ORGANIZATION, GROUP OF PERSONS OR BUSINESS ENTITY DESCRIBED IN PARAGRAPH A, B, C, D OR E OF SUBDIVISION TWO OF THIS SECTION.

9. NO PUBLIC OFFICIAL HOLDING ANY OF THE OFFICES LISTED IN PARAGRAPH A OF SUBDIVISION SIX OF THIS SECTION SHALL CONDUCT PERSONAL BUSINESS TRANSACTIONS IN AN AMOUNT OVER TWO THOUSAND DOLLARS IN ANY CALENDAR YEAR WITH ANY PERSON, ORGANIZATION, GROUP OF PERSONS OR BUSINESS ENTITY DESCRIBED IN PARAGRAPH A, B, C, D OR E OF SUBDIVISION TWO OF THIS SECTION.

10. THIS SECTION SHALL NOT PROHIBIT ANY PERSON FROM INFORMING ANY OTHER PERSON OF A POSITION TAKEN BY A PUBLIC OFFICIAL OR A CANDIDATE FOR PUBLIC OFFICE.

11. THE PROVISIONS OF SUBDIVISIONS TWO AND SIX OF THIS SECTION SHALL NOT APPLY TO THE CAMPAIGN OF ANY PERSON DESCRIBED IN PARAGRAPH A, B, C OR D OF SUBDIVISION TWO OF THIS SECTION WHO IS A CANDIDATE FOR ANY OF THOSE OFFICES LISTED IN PARAGRAPH A OF SUBDIVISION SIX OF THIS SECTION.

S 14-132. GOVERNMENT CONTRACTOR REPORTING AND CONTRIBUTION LIMITS. 1. DEFINITIONS. THE FOLLOWING DEFINITIONS SHALL APPLY TO THIS SECTION:

A. "AGENT" MEANS ANY PERSON ACTING AT THE DIRECTION OF OR ON BEHALF OF AN INDIVIDUAL OR BUSINESS ENTITY;

B. "BUSINESS ENTITY" MEANS A BUSINESS CORPORATION, PROFESSIONAL SERVICES CORPORATION, LIMITED LIABILITY COMPANY, PARTNERSHIP, LIMITED PARTNERSHIP, BUSINESS TRUST, ASSOCIATION OR ANY OTHER LEGAL COMMERCIAL ENTITY ORGANIZED UNDER THE LAWS OF THIS STATE OR ANY OTHER STATE OR FOREIGN JURISDICTION, INCLUDING ANY SUBSIDIARY DIRECTLY OR INDIRECTLY CONTROLLED BY THE BUSINESS ENTITY, AND ANY POLITICAL ORGANIZATION, INCLUDING BUT NOT LIMITED TO ANY POLITICAL ORGANIZATION ORGANIZED UNDER SECTION 527 OF THE INTERNAL REVENUE CODE, THAT IS DIRECTLY OR INDIRECTLY CONTROLLED BY THE BUSINESS ENTITY;

C. "IMMEDIATE FAMILY" MEANS ANY SPOUSE OR CHILD OF AN INDIVIDUAL OR ANY FINANCIALLY DEPENDENT RELATIVES WHO RESIDE IN THE INDIVIDUAL'S HOUSEHOLD;

D. "HOUSEKEEPING ACCOUNT" MEANS AN ACCOUNT MAINTAINED BY A PARTY COMMITTEE OR CONSTITUTED COMMITTEE FROM WHICH EXPENDITURES ARE MADE TO MAINTAIN A PERMANENT HEADQUARTERS AND STAFF AND CARRY ON ORDINARY PARTY ACTIVITIES WHICH ARE NOT FOR THE EXPRESS PURPOSE OF PROMOTING THE CANDIDACY OF SPECIFIC CANDIDATES;

E. "CANDIDATE FOR STATE OFFICE" MEANS A CANDIDATE FOR THE FOLLOWING STATE OFFICES: GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY GENERAL, COMPTROLLER, SENATOR, AND MEMBER OF THE ASSEMBLY; AND

F. "PERSONAL BUSINESS TRANSACTION" MEANS TRANSACTIONS FOR SERVICES OFFERED BY THE ELECTED OFFICIAL IN HIS OR HER CAPACITY AS A PRIVATE CITIZEN TO ANY MEMBER OF THE PUBLIC.

2. THE FOLLOWING PERSONS AND BUSINESS ENTITIES WHO MAKE A CONTRIBUTION TO A CANDIDATE FOR STATE OFFICE, A POLITICAL COMMITTEE WORKING DIRECTLY OR INDIRECTLY TO AID OR PARTICIPATE IN SUCH CANDIDATE'S NOMINATION OR

ELECTION, A POLITICAL COMMITTEE ESTABLISHED OR CONTROLLED BY SUCH CANDIDATE, OR A STATE OR LOCAL COMMITTEE OF A POLITICAL PARTY, INCLUDING A HOUSEKEEPING ACCOUNT, SHALL FILE REPORTS AS REQUIRED BY SUBDIVISION THREE OF THIS SECTION WITH THE BOARD OF ELECTIONS WITHIN SEVEN CALENDAR DAYS AFTER THE DATE OF A CONTRIBUTION MADE WITHIN THIRTY-SIX DAYS OF AN ELECTION, OR, FOR CONTRIBUTIONS MADE AT ANY OTHER TIME, WITHIN THIRTY-SIX DAYS OF THE DATE OF THE CONTRIBUTION OR THE DATE OF ANY APPLICABLE CONTRACT, WHICHEVER OCCURS LATER:

A. ANY PERSON, ORGANIZATION, GROUP OF PERSONS, OR BUSINESS ENTITY THAT HAS RECEIVED, IN A CALENDAR YEAR FIFTY THOUSAND DOLLARS OR MORE THROUGH CONTRACTS FROM THE STATE OR ANY STATE-APPOINTED ENTITY WITH CONTRACTING POWER;

B. ANY PERSON WHO OWNS MORE THAN TEN PERCENT OF A BUSINESS ENTITY THAT IS DESCRIBED IN PARAGRAPH A OF THIS SUBDIVISION;

C. ANY PERSON EMPLOYED BY AN ORGANIZATION, GROUP, OR BUSINESS ENTITY DESCRIBED IN PARAGRAPH A OF THIS SUBDIVISION WHO HOLDS A SENIOR MANAGEMENT POSITION AS DEFINED BY THE STATE ETHICS COMMISSION;

D. THE IMMEDIATE FAMILY MEMBER OF A PERSON WHO IS DESCRIBED IN PARAGRAPH A, B OR C OF THIS SUBDIVISION; OR

E. ANY POLITICAL COMMITTEE ESTABLISHED OR CONTROLLED BY A PERSON, ORGANIZATION, GROUP OF PERSONS OR BUSINESS ENTITY DESCRIBED IN PARAGRAPH A, B, C AND D OF THIS SUBDIVISION.

3. THE BOARD OF ELECTIONS SHALL PRESCRIBE FORMS AND PROCEDURES FOR THE REPORTING REQUIRED IN SUBDIVISION TWO OF THIS SECTION WHICH, AT A MINIMUM, SHALL REQUIRE THE ELECTRONIC FILING OF THE FOLLOWING INFORMATION:

A. THE NAME, ADDRESS, EMPLOYER AND THE NAME OF SPOUSE OF THE PERSON MAKING THE CONTRIBUTION AND THE NAME OF THE SPOUSE'S EMPLOYER;

B. THE NAME OF THE CANDIDATE, POLITICAL COMMITTEE, OR STATE OR LOCAL COMMITTEE OF A POLITICAL PARTY, INCLUDING A HOUSEKEEPING ACCOUNT, RECEIVING THE CONTRIBUTION;

C. THE AMOUNT OF THE CONTRACT WITH THE STATE OR OTHER ENTITY DEFINED IN PARAGRAPH A OF SUBDIVISION TWO OF THIS SECTION, AND THE DATES AND OTHER INFORMATION IDENTIFYING EACH CONTRACT FOR SERVICES OR GOODS; AND

D. IF AN ORGANIZATION, GROUP OF PERSONS, OR BUSINESS ENTITY IS MAKING THE CONTRIBUTION:

(I) THE NAMES AND BUSINESS ADDRESSES OF ALL PERSONS WHO OWN MORE THAN TEN PERCENT OF THE ORGANIZATION, GROUP OR ENTITY; OR

(II) THE NAMES AND BUSINESS ADDRESSES OF ALL PERSONS EMPLOYED BY THE ORGANIZATION, GROUP, OR BUSINESS ENTITY WHO HOLD A SENIOR MANAGEMENT POSITION AS DEFINED BY THE COMMISSION ON GOVERNMENTAL ETHICS.

4. THE BOARD OF ELECTIONS SHALL MAINTAIN COMPLETED FORMS AND REPORTS DESCRIBED IN SUBDIVISION TWO OF THIS SECTION FOR PUBLIC INSPECTION BOTH AT THE BOARD OF ELECTIONS OFFICE AND THROUGH THE BOARD OF ELECTIONS ELECTRONIC FILING SYSTEM FOR CAMPAIGN FINANCE DISCLOSURE (EFS).

5. FROM TWELVE MONTHS AFTER A BID OR PROPOSAL TO THE RELEVANT AGENCY OR CONTRACTING AUTHORITY FOR A CONTRACT DESCRIBED IN SUBDIVISION TWO OF THIS SECTION AND EITHER TWELVE MONTHS AFTER COMPLETION OF THE APPLICABLE CONTRACT, OR UPON COMPLETION OF THE APPLICABLE ELECTED OFFICIAL'S TERM IN OFFICE, WHICHEVER IS LONGER, IT SHALL BE UNLAWFUL FOR ANY PERSON, ORGANIZATION, GROUP OF PERSONS OR BUSINESS ENTITY DESCRIBED IN PARAGRAPHS A, B, C AND D OR E OF SUBDIVISION TWO OF THIS SECTION TO:

A. MAKE CONTRIBUTIONS TO A CANDIDATE FOR STATE OFFICE, ANY POLITICAL COMMITTEE WORKING DIRECTLY OR INDIRECTLY TO AID OR PARTICIPATE IN SUCH CANDIDATE'S NOMINATION OR ELECTION, OR ANY OTHER POLITICAL COMMITTEE ESTABLISHED OR CONTROLLED BY SUCH CANDIDATE THAT EXCEED THE FOLLOWING AMOUNTS PER ELECTION FOR THE FOLLOWING OFFICES:

(I) GOVERNOR: FIVE HUNDRED DOLLARS;
(II) LIEUTENANT GOVERNOR: FIVE HUNDRED DOLLARS;
(III) COMPTROLLER: FIVE HUNDRED DOLLARS;
(IV) ATTORNEY GENERAL: FIVE HUNDRED DOLLARS;
(V) SENATOR: THREE HUNDRED FIFTY DOLLARS; OR
(VI) MEMBER OF ASSEMBLY: TWO HUNDRED FIFTY DOLLARS;

B. MAKE CONTRIBUTIONS TO:

(I) POLITICAL COMMITTEES WORKING DIRECTLY OR INDIRECTLY TO AID OR PARTICIPATE IN THE NOMINATION OR ELECTION OF A CANDIDATE FOR THE OFFICES DESCRIBED IN SUBPARAGRAPHS (I), (II), (III), (IV), (V) AND (VI) OF PARAGRAPH A OF THIS SUBDIVISION, OR OTHER POLITICAL COMMITTEES ESTABLISHED OR CONTROLLED BY A CANDIDATE FOR THE OFFICES DESCRIBED IN SUBPARAGRAPHS (I), (II), (III), (IV), (V) AND (VI) OF PARAGRAPH A OF THIS SUBDIVISION THAT IN THE AGGREGATE EXCEED FOUR THOUSAND DOLLARS PER ELECTION; OR

(II) STATE OR LOCAL COMMITTEES OF A POLITICAL PARTY, OR ANY HOUSEKEEPING ACCOUNT, IN AN AMOUNT GREATER THAN ONE THOUSAND DOLLARS PER ELECTION, AND IN AN AGGREGATE TO ALL STATE OR LOCAL COMMITTEES OF POLITICAL PARTIES IN AN AGGREGATE THAT EXCEEDS TWO THOUSAND DOLLARS PER ELECTION;

C. SOLICIT A CONTRIBUTION ON BEHALF OF, OR TRANSMIT A CONTRIBUTION ON BEHALF OF ANOTHER TO:

(I) A CANDIDATE FOR ANY OF THE OFFICES FOR WHICH CONTRIBUTIONS ARE LIMITED UNDER PARAGRAPH A OF THIS SUBDIVISION;

(II) ANY POLITICAL COMMITTEE WORKING DIRECTLY OR INDIRECTLY TO AID OR PARTICIPATE IN THE NOMINATION OR ELECTION OF A CANDIDATE FOR OFFICE FOR WHICH THEIR CONTRIBUTIONS ARE LIMITED IN PARAGRAPH A OF THIS SUBDIVISION, OR ANY OTHER POLITICAL COMMITTEE ESTABLISHED OR CONTROLLED BY A CANDIDATE FOR THE OFFICES FOR WHICH THEIR CONTRIBUTIONS ARE LIMITED UNDER PARAGRAPH A OF THIS SUBDIVISION;

(III) A STATE OR LOCAL COMMITTEE OF A POLITICAL PARTY INCLUDING A HOUSEKEEPING ACCOUNT;

D. PARTICIPATE IN ANY FUND-RAISING ACTIVITIES FOR:

(I) A CANDIDATE FOR ANY OF THE OFFICES FOR WHICH CONTRIBUTIONS ARE LIMITED UNDER PARAGRAPH A OF THIS SUBDIVISION;

(II) ANY POLITICAL COMMITTEE WORKING DIRECTLY OR INDIRECTLY TO AID OR PARTICIPATE IN THE NOMINATION OR ELECTION OF A CANDIDATE FOR OFFICE FOR WHICH THEIR CONTRIBUTIONS ARE LIMITED IN PARAGRAPH A OF THIS SUBDIVISION, OR ANY OTHER POLITICAL COMMITTEE ESTABLISHED OR CONTROLLED BY A CANDIDATE FOR THE OFFICES FOR WHICH THEIR CONTRIBUTIONS ARE LIMITED UNDER PARAGRAPH A OF THIS SUBDIVISION;

(III) A STATE OR LOCAL COMMITTEE OF A POLITICAL PARTY, INCLUDING A HOUSEKEEPING ACCOUNT;

E. SERVE AS CHAIRPERSON, TREASURER, OR ANY OTHER OFFICER OF:

(I) ANY POLITICAL COMMITTEE WORKING DIRECTLY OR INDIRECTLY TO AID OR PARTICIPATE IN THE NOMINATION OR ELECTION OF A CANDIDATE FOR OFFICE FOR WHICH THEIR CONTRIBUTIONS ARE LIMITED UNDER PARAGRAPH A OF THIS SUBDIVISION; OR

(II) ANY OTHER POLITICAL COMMITTEE ESTABLISHED OR CONTROLLED BY A CANDIDATE FOR WHICH THEIR CONTRIBUTIONS ARE LIMITED UNDER PARAGRAPH A OF THIS SUBDIVISION;

F. CONDUCT PERSONAL BUSINESS TRANSACTIONS IN AN AMOUNT OVER TWO THOUSAND DOLLARS IN ANY CALENDAR YEAR WITH A PUBLIC OFFICIAL HOLDING THE OFFICES FOR WHICH THEIR CONTRIBUTIONS ARE LIMITED UNDER PARAGRAPH A OF THIS SUBDIVISION;

G. DELIVER TO ANY CONDUIT OR INTERMEDIARY ANY CONTRIBUTION EARMARKED FOR A PARTICULAR CANDIDATE FOR THE OFFICES FOR WHICH THEIR CONTRIBUTIONS

ARE LIMITED UNDER PARAGRAPH A OF THIS SUBDIVISION, OR ANY COMMITTEE WORKING DIRECTLY OR INDIRECTLY TO AID OR PARTICIPATE IN SUCH CANDIDATE'S NOMINATION OR ELECTION, OR ANY OTHER POLITICAL COMMITTEE ESTABLISHED OR CONTROLLED BY SUCH CANDIDATE; OR

H. KNOWINGLY TAKE ANY STEP TO CIRCUMVENT THE RESTRICTIONS IN THIS SUBDIVISION.

I. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY FOR A CONTRACTOR MAKING A CONTRIBUTION, OR ANY DISCLOSURE THEREOF REQUIRED BY THIS ARTICLE, IN ANY CALENDAR YEAR IN WHICH SUCH CONTRACTOR RECEIVES FUNDS DISBURSED BY THE STATE OR ANY INSTRUMENTALITY THEREOF PURSUANT TO A FEDERAL STATUTE, RULE OR REGULATION THAT WOULD RENDER THE STATE OR SUCH INSTRUMENTALITY OR CONTRACTOR INELIGIBLE TO RECEIVE SUCH FUNDS BY VIRTUE OF THE OPERATION OF THIS SECTION.

THIS SUBDIVISION SHALL NOT BE APPLICABLE TO CONTRIBUTIONS MADE BY ANY PERSON, ORGANIZATION, GROUP OF PERSONS OR BUSINESS ENTITY AT A TIME WHEN THE PERSON, ORGANIZATION, GROUP OF PERSONS OR BUSINESS ENTITY DID NOT MEET THE DESCRIPTIONS OF PARAGRAPHS A, B, C, D AND E OF SUBDIVISION TWO OF THIS SECTION.

6. THE STATE OR ANY STATE DEPARTMENT, PUBLIC ENTITY OR AUTHORITY WITH CONTRACT-MAKING POWER SHALL NOT ENTER INTO AN AGREEMENT OR OTHERWISE CONTRACT TO PROCURE SERVICES OR ANY MATERIAL, SUPPLIES OR EQUIPMENT, OR TO ACQUIRE, SELL, OR LEASE ANY LAND OR BUILDING FROM ANY PERSON, ORGANIZATION, GROUP OF PERSONS OR BUSINESS ENTITY DESCRIBED IN PARAGRAPHS A, B, C AND D OF SUBDIVISION TWO OF THIS SECTION WHO HAS MADE A CONTRIBUTION PROHIBITED IN SUBDIVISION FIVE OF THIS SECTION. THIS SUBDIVISION SHALL NOT BE APPLICABLE TO CONTRIBUTIONS MADE BY ANY PERSON, ORGANIZATION, GROUP OF PERSONS OR BUSINESS ENTITY AT A TIME WHEN THE PERSON, ORGANIZATION, GROUP OF PERSONS OR BUSINESS ENTITY DID NOT MEET THE DESCRIPTIONS OF PARAGRAPH A, B, C, D OR E OF SUBDIVISION TWO OF THIS SECTION. NOTHING IN THIS SECTION SHALL IMPAIR THE POWER OF THE STATE OR ANY INSTRUMENTALITY THEREOF TO ENTER INTO A CONTRACT WITH ANY CONTRACTOR WHERE FEDERAL FUNDS WOULD SUPPORT THE PAYMENT OR PERFORMANCE OF SUCH CONTRACT AND A FEDERAL STATUTE, RULE OR REGULATION WOULD RENDER THE STATE OR SUCH INSTRUMENTALITY OR CONTRACTOR INELIGIBLE TO RECEIVE SUCH FUNDS BY VIRTUE OF THE OPERATION OF THIS SECTION.

7. EVERY CONTRACT AND BID APPLICATION AND SPECIFICATIONS PROMULGATED BY THE STATE OR ANY STATE DEPARTMENT, PUBLIC ENTITY OR AUTHORITY WITH CONTRACT-MAKING POWER SHALL CONTAIN A PROVISION DESCRIBING THE REQUIREMENTS OF SECTION 14-116 OF THIS ARTICLE.

8. BEFORE ENTERING INTO ANY AGREEMENT OR ANY OTHER CONTRACT TO PROCURE FROM ANY PERSON, ORGANIZATION, GROUP OF PERSONS OR BUSINESS ENTITY SERVICES OR ANY MATERIAL, SUPPLIES OR EQUIPMENT, OR TO ACQUIRE, SELL, OR LEASE ANY LAND OR BUILDING, THE STATE OR ANY STATE DEPARTMENT, PUBLIC ENTITY OR AUTHORITY WITH CONTRACT-MAKING POWER SHALL RECEIVE A SWORN STATEMENT FROM THE CONTRACTOR, MADE UNDER PENALTY OF PERJURY, THAT THE BIDDER OR OFFERER HAS NOT MADE A CONTRIBUTION IN VIOLATION OF THIS SECTION.

9. NO CANDIDATE FOR STATE OFFICE SHALL ACCEPT CAMPAIGN CONTRIBUTIONS FROM A PERSON, ORGANIZATION, GROUP OF PERSONS OR BUSINESS ENTITY DESCRIBED IN PARAGRAPH A, B, C, D OR E OF SUBDIVISION TWO OF THIS SECTION IN AN AMOUNT EXCEEDING THOSE PERMITTED IN PARAGRAPH A OF SUBDIVISION FIVE OF THIS SECTION FOR TWELVE MONTHS AFTER COMPLETION OF THE APPLICABLE CONTRACT, OR THE REMAINDER OF THE CANDIDATE'S TERM IN OFFICE, WHICHEVER IS LONGER. THIS SUBDIVISION SHALL NOT BE APPLICABLE TO CONTRIBUTIONS MADE BY ANY PERSON, ORGANIZATION, GROUP OF PERSONS OR BUSINESS ENTITY AT A TIME WHEN THE PERSON, ORGANIZATION, GROUP OF

PERSONS OR BUSINESS ENTITY DID NOT MEET THE DESCRIPTIONS OF PARAGRAPH A, B, C, D OR E OF SUBDIVISION TWO OF THIS SECTION.

10. NO PUBLIC OFFICIAL HOLDING ANY OF THE OFFICES LISTED IN PARAGRAPH A OF SUBDIVISION FIVE OF THIS SECTION SHALL CONDUCT PERSONAL BUSINESS TRANSACTIONS IN AN AMOUNT OVER TWO THOUSAND DOLLARS IN ANY CALENDAR YEAR WITH ANY PERSON, ORGANIZATION, GROUP OF PERSONS OR BUSINESS ENTITY DESCRIBED IN PARAGRAPHS A, B, C AND D OF SUBDIVISION TWO OF THIS SECTION.

11. THIS SECTION SHALL NOT PROHIBIT ANY PERSON FROM INFORMING ANY OTHER PERSON OF A POSITION TAKEN BY A PUBLIC OFFICIAL OR A CANDIDATE FOR PUBLIC OFFICE.

12. THE PROVISIONS OF SUBDIVISIONS TWO AND FIVE OF THIS SECTION SHALL NOT APPLY TO THE CAMPAIGN OF ANY PERSON DESCRIBED IN PARAGRAPH A, B, C OR D OF SUBDIVISION TWO OF THIS SECTION WHO IS A CANDIDATE FOR ANY OF THOSE OFFICES LISTED IN PARAGRAPH A OF SUBDIVISION FIVE OF THIS SECTION.

S 14-133. COMMISSIONING AUTHORITIES AND LICENSING AUTHORITIES. THE FOLLOWING PERSONS SHALL NOT BE APPOINTED TO A STATE PUBLIC BOARD OR COMMISSION WHICH HAS THE AUTHORITY TO AWARD OR AUDIT ANY PUBLIC CONTRACT:

1. A LOBBYIST REGISTERED UNDER SECTION ONE-E OF THE LEGISLATIVE LAW;

2. ANY PERSON OR BUSINESS ENTITY WHO, IN THE PREVIOUS TWO YEARS, HAS RECEIVED FIFTY THOUSAND DOLLARS OR MORE THROUGH ONE OR MORE CONTRACTS FROM THE STATE OR ANY STATE-APPOINTED ENTITY WITH CONTRACTING POWER;

3. ANY PERSON WHO OWNS MORE THAN TEN PERCENT OF A BUSINESS ENTITY THAT IS DESCRIBED IN SUBDIVISION TWO OF THIS SECTION;

4. ANY PERSON EMPLOYED BY AN ORGANIZATION, GROUP, OR BUSINESS ENTITY DESCRIBED IN SUBDIVISION TWO OF THIS SECTION WHO HOLDS A SENIOR MANAGEMENT POSITION AS DEFINED BY THE COMMISSION ON GOVERNMENTAL ETHICS; OR

5. AN IMMEDIATE FAMILY MEMBER OF A PERSON DESCRIBED IN SUBDIVISION ONE, TWO, THREE, OR FOUR OF THIS SECTION.

S 7. This act shall take effect on the first of January next succeeding the date on which it shall have become a law; provided that section 14-132 of the election law as added by section six of this act shall take effect two years after such effective date.