

1328--A

2011-2012 Regular Sessions

IN ASSEMBLY

(PREFILED)

January 5, 2011

Introduced by M. of A. CASTELLI, KATZ, TEDISCO, MALLIOTAKIS, GRAF --
Multi-Sponsored by -- M. of A. CORWIN, CROUCH, SMARDZ -- read once and
referred to the Committee on Governmental Operations -- recommitted to
the Committee on Governmental Operations in accordance with Assembly
Rule 3, sec. 2 -- committee discharged, bill amended, ordered
reprinted as amended and recommitted to said committee

AN ACT to amend the public officers law and the legislative law, in relation to disclosure of all income from employment (Part A); to amend the legislative law, in relation to the terms of legislative committee chairs (Part B); to amend the legislative law, in relation to term limits for state legislators (Part C); and to amend the election law, in relation to the time for filing statements of campaign receipts and expenditures (Part D)

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

Section 1. This act enacts into law major components of legislation which are necessary to enact ethics reform. Each component is wholly contained within a Part identified as Parts A through D. The effective date of each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

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

LBD05575-02-2

Section 1. Paragraph 5 of subdivision 3 of section 73-a of the public officers law is amended by adding a new subparagraph (c) to read as follows:

(C) IF YOU ARE A MEMBER OF THE LEGISLATURE OR A CANDIDATE FOR MEMBER OF THE LEGISLATURE, LIST EACH SOURCE AND THE AMOUNT OF INCOME THEREFROM, IN EXCESS OF \$1,000, (OTHER THAN FROM THE EMPLOYMENT LISTED UNDER PARAGRAPH 2 ABOVE) RECEIVED DURING THE REPORTING PERIOD FOR WHICH THIS STATEMENT IS FILED BY THE REPORTING INDIVIDUAL FROM THE PRACTICE OF EVERY OCCUPATION, EMPLOYMENT, TRADE, BUSINESS AND PROFESSION ENGAGED IN BY THE REPORTING INDIVIDUAL AND REPORTED IN SUBPARAGRAPH (A) OF THIS PARAGRAPH. INCLUDE, NOTWITHSTANDING THE EXISTENCE OF ANY PROFESSIONAL EXEMPTION, THE NAME AND ADDRESS OF EACH SUCH SOURCE OF INCOME, THE WORK PERFORMED TO EARN SUCH INCOME AND THE AMOUNT OF SUCH INCOME.

NAME OF SOURCE OF INCOME	ADDRESS	WORK PERFORMED	AMOUNT OF INCOME
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S 2. Paragraphs k and l of subdivision 7 of section 80 of the legislative law, as amended by section 9 of part A of chapter 399 of the laws of 2011, are amended and a new paragraph m is added to read as follows:

k. Develop educational materials and training with regard to legislative ethics for members of the legislature and legislative employees including an online ethics orientation course for newly-hired employees and, as requested by the senate or the assembly, materials and training in relation to a comprehensive ethics training program; [and]

l. Prepare an annual report to the governor and legislature summarizing the activities of the commission during the previous year and recommending any changes in the laws governing the conduct of persons subject to the jurisdiction of the commission, or the rules, regulations and procedures governing the commission's conduct. Such report shall include: (i) a listing by assigned number of each complaint and report received from the joint commission on public ethics which alleged a possible violation within its jurisdiction, including the current status of each complaint, and (ii) where a matter has been resolved, the date and nature of the disposition and any sanction imposed, subject to the confidentiality requirements of this section. Such annual report shall not contain any information for which disclosure is not permitted pursuant to subdivision twelve of this section[.]; AND

M. COMPILE AND POST ON THE INTERNET WEBSITES OF THE SENATE AND ASSEMBLY THE MOST CURRENT FINANCIAL DISCLOSURE STATEMENTS OF MEMBERS OF THE LEGISLATURE AND CANDIDATES FOR MEMBER OF THE LEGISLATURE.

S 3. This act shall take effect January 1, 2013; provided, however that the amendment to paragraph 5 of subdivision 3 of section 73-a of the public officers law made by section one of this act shall take effect on the same date and in the same manner as section 5 of part A of chapter 399 of the laws of 2011, takes effect.

PART B

Section 1. Section 5-a of the legislative law is amended by adding a new subdivision 4 to read as follows:

4. ANY MEMBER OF EITHER HOUSE OF THE LEGISLATURE SERVING AS A COMMITTEE CHAIR OF ANY COMMITTEE AS ENUMERATED IN THE SCHEDULE SET FORTH IN

1 SUBDIVISION ONE OF THIS SECTION SHALL NOT SERVE IN SUCH CAPACITY AS THE
2 CHAIR FOR A TERM LONGER THAN FOUR CONSECUTIVE YEARS.

3 S 2. This act shall take effect on the first of January next succeed-
4 ing the date on which it shall have become a law.

5 PART C

6 Section 1. The legislative law is amended by adding a new section 2-a
7 to read as follows:

8 S 2-A. LEGISLATIVE TERM LIMITS. MEMBERS OF THE LEGISLATURE SHALL NOT
9 SERVE MORE THAN FIVE TWO YEAR TERMS IN EITHER THE SENATE OR THE ASSEM-
10 BLY. IN NO EVENT MAY A LEGISLATOR SERVE MORE THAN TEN YEARS IN EITHER
11 THE SENATE OR ASSEMBLY.

12 S 2. This act shall take effect January 1, 2013.

13 PART D

14 Section 1. Subdivision 3 of section 14-108 of the election law, as
15 redesignated by chapter 9 of the laws of 1978, is amended to read as
16 follows:

17 3. Each statement shall be preserved by the officer with whom or the
18 board with which it is required to be filed for a period of [five]
19 FIFTEEN years from the date of filing thereof.

20 S 2. This act shall take effect immediately.

21 S 2. Severability clause. If any clause, sentence, paragraph, subdivi-
22 sion, section or part of this act shall be adjudged by any court of
23 competent jurisdiction to be invalid, such judgment shall not affect,
24 impair or invalidate the remainder thereof, but shall be confined in its
25 operation to the clause, sentence, paragraph, subdivision, section or
26 part thereof directly involved in the controversy in which such judgment
27 shall have been rendered. It is hereby declared to be the intent of the
28 legislature that this act would have been enacted even if such invalid
29 provisions had not been included herein.

30 S 3. This act shall take effect immediately; provided, however, that
31 the applicable effective date of Parts A through D of this act shall be
32 as specifically set forth in the last section of such Parts.