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2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

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

AN ACT to amend the public officers law, in relation to state legislative ethics

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

1 Section 1. Section 73 of the public officers law is amended by adding
2 two new subdivisions 14-a and 14-b to read as follows:
3 14-A. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION FOURTEEN OF THIS
4 SECTION, NO MEMBER OF THE LEGISLATURE OR LEGISLATIVE EMPLOYEE, AS
5 DEFINED BY PARAGRAPH (D) OF SUBDIVISION ONE OF SECTION SEVENTY-THREE-A
6 OF THIS ARTICLE, SHALL PARTICIPATE IN ANY DECISION TO HIRE, PROMOTE,
7 PROCESS EMPLOYMENT PAPERWORK FOR OR HAVE KNOWLEDGE OF THE PROSPECTIVE
8 EMPLOYMENT OR CHANGE OF EMPLOYMENT STATUS OF ANY RELATIVE FOR ANY
9 COMPENSATED POSITION AT, FOR OR WITHIN THE SAME LEGISLATIVE CHAMBER
10 WHICH EMPLOYS SUCH MEMBER OR LEGISLATIVE EMPLOYEE. THE PROVISIONS OF
11 THIS SUBDIVISION SHALL NOT APPLY TO PERSONS TO WHICH PARAGRAPH (B) OF
12 SUBDIVISION FOURTEEN OF THIS SECTION APPLIES.
13 14-B. IN ADDITION TO THE INFORMATION INCLUDED IN THE ANNUAL FINANCIAL
14 STATEMENT OF FINANCIAL DISCLOSURE PROVIDED FOR IN SECTION
15 SEVENTY-THREE-A OF THIS ARTICLE, EVERY MEMBER OF THE LEGISLATURE AND
16 LEGISLATIVE EMPLOYEE SHALL DISCLOSE THE NAMES OF ALL RELATIVES WHO ARE
17 EMPLOYED BY THE LEGISLATURE AND THE DEGREE OF THEIR RELATIONSHIP.
18 S 2. Paragraph d of subdivision 3 of section 74 of the public officers
19 law, as amended by chapter 1 of the laws of 2010, is amended to read as
20 follows:
21 d. No officer or employee of a state agency, member of the legislature
22 or legislative employee should use or attempt to use his or her official
23 position to secure unwarranted privileges or exemptions for himself or
24 herself, HIS OR HER RELATIVE, AS DEFINED IN PARAGRAPH (M) OF SUBDIVISION

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

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1 ONE OF SECTION SEVENTY-THREE OF THIS ARTICLE, or others, including but
2 not limited to, the misappropriation to himself, herself, HIS OR HER
3 RELATIVE, AS DEFINED IN PARAGRAPH (M) OF SUBDIVISION ONE OF SECTION
4 SEVENTY-THREE OF THIS ARTICLE, or to others of the property, services or
5 other resources of the state for private business or other compensated
6 non-governmental purposes.

7 S 3. This act shall take effect on the ninetieth day after it shall
8 have become a law.