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

5159--A

2015-2016 Regular Sessions

I N A S S E M B L Y

February 12, 2015

Introduced by M. of A. LAVINE, STECK, SKOUFIS, McDONALD, MILLER, JAFFEE, COLTON, KEARNS, BUCHWALD, ARROYO, MONTESANO, HAWLEY, RAIA, FINCH, CURRAN, DUPREY, ZEBROWSKI, HOOPER, GALEF, WRIGHT, PICHARDO, SCHIMEL -- Multi-Sponsored by -- M. of A. GARBARINO, LAWRENCE, SIMON -- 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 executive law, in relation to requiring the joint commission on public ethics to develop and maintain an ethics training course for members and staff of the legislature; and to amend the legislative law, in relation to requiring all members of the legislature to successfully complete the ethics training course on an annual basis

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

Section 1. Paragraph (m) and subparagraph (iv) of paragraph (n) of subdivision 9 of section 94 of the executive law, paragraph (m) as amended and subparagraph (iv) of paragraph (n) as added by section 6 of part A of chapter 399 of the laws of 2011 are amended and a new paragraph (o) is added to read as follows:

(m) Determine a question common to a class or defined category of persons or items of information required to be disclosed, where determination of the question will prevent undue repetition of requests for exemption or deletion or prevent undue complication in complying with the requirements of such section; [and]

(iv) if thereafter sufficient cause exists, the commission shall take additional actions, as appropriate and consistent with law[.]; AND

(O) THE COMMISSION SHALL DEVELOP AND MAINTAIN AN ETHICS TRAINING COURSE FOR MEMBERS AND STAFF OF THE LEGISLATURE. SUCH COURSE SHALL BE DESIGNED TO HELP LEGISLATORS AND STAFF IN UNDERSTANDING AND COMPLYING

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

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WITH CURRENT ETHICAL AND CAMPAIGN FINANCE REQUIREMENTS UNDER STATE LAW, LEGISLATIVE RULES AND FEDERAL LAW. THE COURSE WHICH SHALL BE AVAILABLE TO MEMBERS AND STAFF OF THE LEGISLATURE AND TO THE GENERAL PUBLIC ON THE INTERNET, SHALL INCLUDE TRAINING MATERIALS AND EXERCISES TO BE COMPLETED AS PART OF THE COURSE AND SHALL INCLUDE PROVISIONS FOR VERIFYING WHEN A LEGISLATOR HAS SUCCESSFULLY COMPLETED KEY TRAINING EXERCISES.

S 2. Article 5 of the legislative law is amended by adding a new section 81 to read as follows:

S 81. ETHICS TRAINING COURSE. 1. EACH MEMBER OF THE LEGISLATURE SHALL:

A. ANNUALLY COMPLETE THE ETHICS TRAINING COURSE DEVELOPED BY THE JOINT COMMISSION ON PUBLIC ETHICS PURSUANT TO PARAGRAPH (O) OF SUBDIVISION NINE OF SECTION NINETY-FOUR OF THE EXECUTIVE LAW;

B. SUCCESSFULLY COMPLETE THE KEY TRAINING EXERCISES OF THE COURSE; AND

C. VERIFY THE COMPLETION ON HIS OR HER ANNUAL LEGISLATIVE FINANCIAL DISCLOSURE FORM.

2. NEWLY ELECTED LEGISLATORS SHALL COMPLETE THE ETHICS TRAINING COURSE WITHIN SEVEN DAYS OF BEING SWORN INTO OFFICE.

3. FAILURE TO COMPLY WITH THE PROVISIONS OF THIS SECTION SHALL BE A CLASS A MISDEMEANOR AND SHALL BE PUNISHABLE BY A FINE OF FIVE THOUSAND DOLLARS.

S 3. If any part or provision of this act is adjudged by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect or impair any other part or provision of this act, but shall be confined in its operation to such part or provision.

S 4. This act shall take effect January 1, 2017.