

3367--A

2015-2016 Regular Sessions

I N S E N A T E

February 5, 2015

Introduced by Sens. HOYLMAN, SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- recommended 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 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:

1 Section 1. Paragraph (m) and subparagraph (iv) of paragraph (n) of
2 subdivision 9 of section 94 of the executive law, paragraph (m) as
3 amended and subparagraph (iv) of paragraph (n) as added by section 6 of
4 part A of chapter 399 of the laws of 2011 are amended and a new para-
5 graph (o) is added to read as follows:
6 (m) Determine a question common to a class or defined category of
7 persons or items of information required to be disclosed, where determi-
8 nation of the question will prevent undue repetition of requests for
9 exemption or deletion or prevent undue complication in complying with
10 the requirements of such section; [and]
11 (iv) if thereafter sufficient cause exists, the commission shall take
12 additional actions, as appropriate and consistent with law[.]; AND
13 (O) THE COMMISSION SHALL DEVELOP AND MAINTAIN AN ETHICS TRAINING
14 COURSE FOR MEMBERS AND STAFF OF THE LEGISLATURE. SUCH COURSE SHALL BE
15 DESIGNED TO HELP LEGISLATORS AND STAFF IN UNDERSTANDING AND COMPLYING
16 WITH CURRENT ETHICAL AND CAMPAIGN FINANCE REQUIREMENTS UNDER STATE LAW,
17 LEGISLATIVE RULES AND FEDERAL LAW. THE COURSE WHICH SHALL BE AVAILABLE
18 TO MEMBERS AND STAFF OF THE LEGISLATURE AND TO THE GENERAL PUBLIC ON THE

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

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1 INTERNET, SHALL INCLUDE TRAINING MATERIALS AND EXERCISES TO BE COMPLETED
2 AS PART OF THE COURSE AND SHALL INCLUDE PROVISIONS FOR VERIFYING WHEN A
3 LEGISLATOR HAS SUCCESSFULLY COMPLETED KEY TRAINING EXERCISES.

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

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

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

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

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

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

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

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

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