STATE OF NEW YORK

5695

2017-2018 Regular Sessions

IN SENATE

April 26, 2017

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

AN ACT to amend the public officers law and the public authorities law, in relation to prohibiting certain persons from receiving compensation for legal fees, consulting, or other work performed for an industrial development agency or an economic assistance corporation

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 18 of section 73 of the public officers law, as amended by section 5 of part CC of chapter 56 of the laws of 2015, is amended to read as follows:

18. **(a) No person who holds any public office or is an officer in a party committee or firm or association of which such person is a member, or corporation, ten per centum or more of the stock of which is owned or controlled directly or indirectly by such person, shall receive compensation for legal fees, consulting, or any other contractual expenditure for services, whether actually performed or not, from a state or local authority as defined in section two of the public authorities law.**

(b) For the purposes of this subdivision, the term "party committee" shall have the same meaning as in section 2-100 of the election law.

19. In addition to any penalty contained in any other provision of law, any person who knowingly and intentionally violates the provisions of subdivisions two through five, seven, seven-a, eight, twelve or fourteen through [~~seventeen~~] **eighteen** of this section shall be subject to a civil penalty in an amount not to exceed forty thousand dollars and the value of any gift, compensation or benefit received in connection with such violation. Assessment of a civil penalty hereunder shall be made by the state oversight body with jurisdiction over such person. A state oversight body acting pursuant to its jurisdiction, may, in lieu of a civil penalty, with respect to a violation of subdivisions two through five, seven or eight of this section, refer a violation of any such

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

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subdivision to the appropriate prosecutor and upon such conviction such violation shall be punishable as a class A misdemeanor.

§ 2. Subdivision 1 of section 2825 of the public authorities law, as amended by chapter 766 of the laws of 2005, is amended to read as follows:

1. No public officer or employee shall be ineligible for appointment as a trustee or member of the governing body of a state or local authority, as defined in section two of this chapter, and any public officer or employee may accept such appointment and serve as such trustee or member without forfeiture of any other public office or position of public employment by reason thereof. **Provided, additionally, no person who holds any public office or is an officer in a party committee, or firm or association of which such person is a member, or corporation, ten per centum or more of the stock which is owned or controlled directly or indirectly by such person, shall receive compensation for legal fees, consulting, or any other contractual expenditure for services, whether actually performed or not, from a state or local authority. For the purposes of this subdivision, the term "party committee" shall have the same meaning as in section 2-100 of the election law.**

§ 3. This act shall take effect immediately.