STATE OF NEW YORK

6652

2017-2018 Regular Sessions

IN SENATE

June 9, 2017

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

AN ACT to amend the real property law, in relation to conflicts of interests for cooperative housing

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

Section 1. The real property law is amended by adding a new article 9-C to read as follows:

Article 9-C

COOPERATIVE HOUSING

Section 341. Annual reports for certain transactions required.

§ 341. Annual reports for certain transactions required. 1. Every cooperative housing corporation, incorporated pursuant to the not-for-profit corporation law, shall, at least once each year:

(a) require that each director, as defined in paragraph six of subdivision (a) of section one hundred two of the not-for-profit corporation law, receive a copy of section seven hundred fifteen of the not-for-profit corporation law; and

(b) submit an annual report to the attorney general of the state of New York, which shall be signed by each such director, containing information on any contracts made, entered into, or otherwise voted on by the board of directors that were subject to section seven hundred fifteen of the not-for-profit corporation law.

2. Every cooperative housing corporation, incorporated pursuant to the business corporation law, shall, at least once each year:

(a) require that each director, as defined in paragraph five of subdivision (a) of section one hundred two of the business corporation law, receive a copy of section seven hundred thirteen of the business corporation law; and

(b) submit an annual report to the attorney general of the state of New York, which shall be signed by each such director, containing infor-

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

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mation on any contracts made, entered into, or otherwise voted on by the board of directors that were subject to section seven hundred thirteen of the business corporation law.

3. The annual report required either by paragraph (b) of subdivision one or paragraph (b) of subdivision two of this section shall include, but not be limited to, the following:

(a) a list of all contracts voted on by the board of directors, including information on the contract recipient, contract amount, and the purpose of entering into the contract;

(b) the record of each meeting including director attendance, voting records for contracts, and how each director voted on such contracts; and

(c) the date of each vote on each contract, and the date the contract would be and remain valid.

4. If the annual report required either by paragraph (b) of subdivision one or paragraph (b) of subdivision two of this section would, notwithstanding the requirements of this section, contain no information because of the absence of any actions taken by the board that would otherwise qualify for inclusion in such annual report, then the board shall instead submit to the attorney general of the state of New York a document, signed by each director, indicating: "No actions taken by the board were subject to the annual report required pursuant to section 341 of the Real Property Law".

§ 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.