

# STATE OF NEW YORK

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1532

2019-2020 Regular Sessions

## IN ASSEMBLY

January 15, 2019

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Introduced by M. of A. MAGNARELLI -- read once and referred to the  
Committee on Governmental Operations

AN ACT to amend the public officers law, in relation to prohibiting  
certain confidentiality and nondisclosure provisions from inclusion in  
contracts entered into by the state

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

1 Section 1. The public officers law is amended by adding a new section  
2 89-a to read as follows:

3 § 89-a. Non-disclosure agreements; prohibitions. Notwithstanding any  
4 other provision of law, no agreement or contract entered into by the  
5 state or a local government or public authority or school district or  
6 the state university of New York or any agency shall contain any  
7 provision, clause or language that provides that the contract or agree-  
8 ment or any of its terms are confidential or that the parties to the  
9 agreement or contract are prohibited from disclosing, discussing,  
10 describing or commenting upon the terms of the agreement or contract;  
11 provided, however, such non-disclosure agreements shall be permissible  
12 in a claim involving sexual harassment if the condition of confidential-  
13 ity is the complainant's preference.

14 § 2. This act shall take effect immediately.

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

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