

# STATE OF NEW YORK

11154

## IN ASSEMBLY

December 4, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Paulin, Magnarelli, McDonough, Giglio) -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to prohibiting the disclosure of certain information required on financial disclosure reports of certain not-for-profit organizations

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

1 Section 1. Subdivision 8 of section 172 of the executive law, as  
2 amended by chapter 43 of the laws of 2002, is amended to read as  
3 follows:

4 8. Forms, financial reports, professional fund raisers' contracts, and  
5 other documents required to be filed pursuant to this article become  
6 public records of the attorney general, except that where such records  
7 include the names, addresses or telephone numbers of contributors and  
8 amounts contributed by them, such information shall not be a public  
9 record and shall not be subject to disclosure pursuant to article six of  
10 the public officers law, and the attorney general shall keep such infor-  
11 mation confidential and use it solely for the purpose of enforcing the  
12 not-for-profit corporation and religious corporation laws, the  
13 provisions of this article, article eight of the estates, powers and  
14 trusts law, and the attorney general's other charitable trust oversight  
15 responsibilities.

16 § 2. Subdivision 9 of section 172-b of the executive law, as added by  
17 section 1 of Part UU of chapter 55 of the laws of 2020, is amended to  
18 read as follows:

19 9. Any registered charitable organization [~~that is required to file an~~  
20 ~~annual financial report pursuant to subdivision one or two of this~~  
21 ~~section, or~~] that is required to file a funding disclosure report pursu-  
22 ant to section one hundred seventy-two-e of this article, and/or a  
23 financial disclosure report pursuant to section one hundred  
24 seventy-two-f of this article for a reporting period during the applica-  
25 ble fiscal year shall also be required to file such annual financial  
26 report, including all required forms and attachments, with the depart-

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

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ment of state. Where such records include the names, addresses or telephone numbers of contributors and amounts contributed by them, such information shall not be a public record and shall not be subject to disclosure pursuant to article six of the public officers law, and the department of state shall use such information solely for the purposes of enforcing sections one hundred seventy-two-e and one hundred seventy-two-f of this article and shall keep the information confidential except as provided in sections one hundred seventy-two-e and one hundred seventy-two-f of this article.

§ 3. This act shall take effect immediately; provided that section two of this act shall take effect on the same date and in the same manner as section 1 of part UU of chapter 55 of the laws of 2020, takes effect.