

STATE OF NEW YORK

979

2019-2020 Regular Sessions

IN SENATE

January 9, 2019

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

AN ACT to amend the public officers law, in relation to electronic financial disclosures of members and candidates of the legislature

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

1 Section 1. The opening paragraph of paragraph (a) of subdivision 2 of
2 section 73-a of the public officers law, as amended by section 5 of part
3 A of chapter 399 of the laws of 2011, is amended to read as follows:

4 Every statewide elected official, state officer or employee, member of
5 the legislature, legislative employee and political party chairman and
6 every candidate for statewide elected office or for member of the legis-
7 lature shall file an annual statement of financial disclosure containing
8 the information and in the form set forth in subdivision three of this
9 section.

10 Every member of the legislature and candidate for member of
11 the legislature must file their annual statement of financial disclosure
12 electronically in an electronic, readable, searchable and downloadable
13 format. On or before the fifteenth day of May with respect to the
14 preceding calendar year: (1) every member of the legislature, every
15 candidate for member of the legislature and legislative employee shall
16 file such statement with the legislative ethics commission which shall
17 provide such statement along with any requests for exemptions or
18 deletions to the joint commission on public ethics for filing and
19 rulings with respect to such requests for exemptions or deletions, on or
20 before the thirtieth day of June; and (2) all other individuals required
21 to file such statement shall file it with the joint commission on public
22 ethics, except that:

23 § 2. Subdivision 3 of section 73-a of the public officers law, as
24 amended by section 5 of part A of chapter 399 of the laws of 2011, para-
graph 8 as amended by section 6 of part K of chapter 286 of the laws of

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

LBD00588-01-9

1 2016 and paragraph 13 as amended by section 1 of part CC of chapter 56
 2 of the laws of 2015, is amended to read as follows:
 3 3. (a) The annual statement of financial disclosure shall contain the
 4 information and shall be in the form set forth hereinbelow:

5 ANNUAL STATEMENT OF FINANCIAL DISCLOSURE - (For calendar year _____)

6 1. Name _____
 7 2. (a) Title of Position _____
 8 (b) Department, Agency or other Governmental Entity _____
 9 (c) Address of Present Office _____
 10 (d) Office Telephone Number _____
 11 3. (a) Marital Status _____. If married, please give spouse's
 12 full name including maiden name where applicable.
 13 _____ .

14 (b) List the names of all unemancipated children.

15 _____
 16 _____
 17 _____
 18 _____
 19 _____

20 Answer each of the following questions completely, with respect to
 21 calendar year _____, unless another period or date is otherwise
 22 specified. If additional space is needed, attach additional pages.

23 Whenever a "value" or "amount" is required to be reported herein, such
 24 value or amount shall be reported as being within one of the following
 25 Categories in Table I or Table II of this subdivision as called for in
 26 the question: A reporting individual shall indicate the Category by
 27 letter only.

28 Whenever "income" is required to be reported herein, the term "income"
 29 shall mean the aggregate net income before taxes from the source identi-
 30 fied.

31 The term "calendar year" shall mean the year ending the December 31st
 32 preceding the date of filing of the annual statement.

33 4. (a) List any office, trusteeship, directorship, partnership, or
 34 position of any nature, whether compensated or not, held by the
 35 reporting individual with any firm, corporation, association, part-
 36 nership, or other organization other than the State of New York.
 37 Include compensated honorary positions; do NOT list membership or
 38 uncompensated honorary positions. If the listed entity was licensed
 39 by any state or local agency, was regulated by any state regulatory
 40 agency or local agency, or, as a regular and significant part of the
 41 business or activity of said entity, did business with, or had
 42 matters other than ministerial matters before, any state or local
 43 agency, list the name of any such agency.

	Position	Organization	State or Local Agency
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46 _____
 47 _____

1 _____
 2 _____
 3 _____

4 (b) List any office, trusteeship, directorship, partnership, or position
 5 of any nature, whether compensated or not, held by the spouse or
 6 unemancipated child of the reporting individual, with any firm,
 7 corporation, association, partnership, or other organization other
 8 than the State of New York. Include compensated honorary positions;
 9 do NOT list membership or uncompensated honorary positions. If the
 10 listed entity was licensed by any state or local agency, was regu-
 11 lated by any state regulatory agency or local agency, or, as a regu-
 12 lar and significant part of the business or activity of said entity,
 13 did business with, or had matters other than ministerial matters
 14 before, any state or local agency, list the name of any such agency.

15		State or
16	Position	Local Agency
	Organization	
17	_____	_____
18	_____	_____
19	_____	_____
20	_____	_____
21	_____	_____

22 5. (a) List the name, address and description of any occupation,
 23 employment (other than the employment listed under Item 2 above),
 24 trade, business or profession engaged in by the reporting individ-
 25 ual. If such activity was licensed by any state or local agency, was
 26 regulated by any state regulatory agency or local agency, or, as a
 27 regular and significant part of the business or activity of said
 28 entity, did business with, or had matters other than ministerial
 29 matters before, any state or local agency, list the name of any such
 30 agency.

31		State or
32	Name & Address	Local
33	Position of Organization	Agency
	Description	
34	_____	_____
35	_____	_____
36	_____	_____
37	_____	_____
38	_____	_____

39 (b) If the spouse or unemancipated child of the reporting individual was
 40 engaged in any occupation, employment, trade, business or profession
 41 which activity was licensed by any state or local agency, was regu-
 42 lated by any state regulatory agency or local agency, or, as a regu-
 43 lar and significant part of the business or activity of said entity,
 44 did business with, or had matters other than ministerial matters
 45 before, any state or local agency, list the name, address and
 46 description of such occupation, employment, trade, business or
 47 profession and the name of any such agency.

48 _____ State or

1	2	3	4	5	6	7
	Position	Name & Address of Organization	Description		Local Agency	
3						
4						
5						
6						
7						
8	6.	List any interest, in EXCESS of \$1,000, held by the reporting indi-				
9		vidual, such individual's spouse or unemancipated child, or partner-				
10		ship of which any such person is a member, or corporation, 10% or				
11		more of the stock of which is owned or controlled by any such				
12		person, whether vested or contingent, in any contract made or				
13		executed by a state or local agency and include the name of the				
14		entity which holds such interest and the relationship of the report-				
15		ing individual or such individual's spouse or such child to such				
16		entity and the interest in such contract. Do NOT include bonds and				
17		notes. Do NOT list any interest in any such contract on which final				
18		payment has been made and all obligations under the contract except				
19		for guarantees and warranties have been performed, provided, howev-				
20		er, that such an interest must be listed if there has been an ongo-				
21		ing dispute during the calendar year for which this statement is				
22		filed with respect to any such guarantees or warranties. Do NOT list				
23		any interest in a contract made or executed by a local agency after				
24		public notice and pursuant to a process for competitive bidding or a				
25		process for competitive requests for proposals.				
26		Entity	Relationship	Contracting	Category	
27	Self,	Which Held	to Entity	State or	of	
28	Spouse or	Interest in	and Interest	Local	Value of	
29	Child	Contract	in Contract	Agency	Contract	
30					(In Table II)	
31						
32						
33						
34						
35						
36	7.	List any position the reporting individual held as an officer of any				
37		political party or political organization, as a member of any poli-				
38		tical party committee, or as a political party district leader. The				
39		term "party" shall have the same meaning as "party" in the election				
40		law. The term "political organization" means any party or independ-				
41		ent body as defined in the election law or any organization that is				
42		affiliated with or a subsidiary of a party or independent body.				
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47						

8. (a) If the reporting individual practices law, is licensed by the department of state as a real estate broker or agent or practices a profession licensed by the department of education, or works as a member or employee of a firm required to register pursuant to section one-e of the legislative law as a lobbyist, describe the services rendered for which compensation was paid including a general description of the principal subject areas of matters undertaken by such individual and principal duties performed. Specifically state whether the reporting individual provides services directly to clients. Additionally, if such an individual practices with a firm or corporation and is a partner or shareholder of the firm or corporation, give a general description of principal subject areas of matters undertaken by such firm or corporation.

(b) APPLICABLE ONLY TO NEW CLIENTS OR CUSTOMERS FOR WHOM SERVICES ARE PROVIDED ON OR AFTER JULY FIRST, TWO THOUSAND TWELVE AND BEFORE DECEMBER THIRTY-FIRST, TWO THOUSAND FIFTEEN, OR FOR NEW MATTERS FOR EXISTING CLIENTS OR CUSTOMERS WITH RESPECT TO THOSE SERVICES THAT ARE PROVIDED ON OR AFTER JULY FIRST, TWO THOUSAND TWELVE AND BEFORE DECEMBER THIRTY-FIRST, TWO THOUSAND FIFTEEN:

If the reporting individual personally provides services to any person or entity, or works as a member or employee of a partnership or corporation that provides such services (referred to hereinafter as a "firm"), then identify each client or customer to whom the reporting individual personally provided services, or who was referred to the firm by the reporting individual, and from whom the reporting individual or his or her firm earned fees in excess of \$10,000 during the reporting period for such services rendered in direct connection with:

(i) A contract in an amount totaling \$50,000 or more from the state or any state agency for services, materials, or property;

(ii) A grant of \$25,000 or more from the state or any state agency during the reporting period;

(iii) A grant obtained through a legislative initiative during the reporting period; or

(iv) A case, proceeding, application or other matter that is not a ministerial matter before a state agency during the reporting period.

For purposes of this question, "referred to the firm" shall mean: having intentionally and knowingly taken a specific act or series of acts to intentionally procure for the reporting individual's firm or knowingly solicit or direct to the reporting individual's firm in whole or substantial part, a person or entity that becomes a client of that firm for the purposes of representation for a matter as defined in subparagraphs (i) through (iv) of this paragraph, as the result of such procurement, solicitation or direction of the reporting individual. A reporting individual need not disclose activities performed while lawfully acting pursuant to paragraphs (c), (d), (e) and (f) of subdivision seven of section seventy-three of this article.

The disclosure requirement in this question shall not require disclosure of clients or customers receiving medical or dental services, mental health services, residential real estate brokering services, or

1 insurance brokering services from the reporting individual or his or her
 2 firm. The reporting individual need not identify any client to whom he
 3 or she or his or her firm provided legal representation with respect to
 4 investigation or prosecution by law enforcement authorities, bankruptcy,
 5 or domestic relations matters. With respect to clients represented in
 6 other matters, where disclosure of a client's identity is likely to
 7 cause harm, the reporting individual shall request an exemption from the
 8 joint commission pursuant to paragraph (i-1) of subdivision nine of
 9 section ninety-four of the executive law, provided, however, that a
 10 reporting individual who first enters public office after July first,
 11 two thousand twelve, need not report clients or customers with respect
 12 to matters for which the reporting individual or his or her firm was
 13 retained prior to entering public office.

14 Client Nature of Services Provided

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16	
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18	
19	

20 (b-1) APPLICABLE ONLY TO NEW CLIENTS OR CUSTOMERS FOR WHOM SERVICES
 21 ARE PROVIDED ON OR AFTER DECEMBER THIRTY-FIRST, TWO THOUSAND FIFTEEN, OR
 22 FOR NEW MATTERS FOR EXISTING CLIENTS OR CUSTOMERS WITH RESPECT TO THOSE
 23 SERVICES THAT ARE PROVIDED ON OR AFTER DECEMBER THIRTY-FIRST, TWO THOU-
 24 SAND FIFTEEN (FOR PURPOSES OF THIS QUESTION, "SERVICES" SHALL MEAN
 25 CONSULTATION, REPRESENTATION, ADVICE OR OTHER SERVICES):

26 If the reporting individual receives income from employment reportable
 27 in question 8(a) and personally provides services to any person or enti-
 28 ty, or works as a member or employee of a partnership or corporation
 29 that provides such services (referred to hereinafter as a "firm"), the
 30 reporting individual shall identify each client or customer to whom the
 31 reporting individual personally provided services, or who was referred
 32 to the firm by the reporting individual, and from whom the reporting
 33 individual or his or her firm earned fees in excess of \$10,000 during
 34 the reporting period in direct connection with:

35 (i) A contract in an amount totaling \$10,000 or more from the state or
 36 any state agency for services, materials, or property;

37 (ii) A grant of \$10,000 or more from the state or any state agency
 38 during the reporting period;

39 (iii) A grant obtained through a legislative initiative during the
 40 reporting period; or

41 (iv) A case, proceeding, application or other matter that is not a
 42 ministerial matter before a state agency during the reporting period.

43 For such services rendered by the reporting individual directly to
 44 each such client, describe each matter that was the subject of such
 45 representation, the services actually provided and the payment received.
 46 For payments received from clients referred to the firm by the reporting
 47 individual, if the reporting individual directly received a referral fee
 48 or fees for such referral, identify the client and the payment so
 49 received.

50 For purposes of this question, "referred to the firm" shall mean:
 51 having intentionally and knowingly taken a specific act or series of
 52 acts to intentionally procure for the reporting individual's firm or
 53 having knowingly solicited or directed to the reporting individual's
 54 firm in whole or substantial part, a person or entity that becomes a
 55 client of that firm for the purposes of representation for a matter as

defined in clauses (i) through (iv) of this subparagraph, as the result of such procurement, solicitation or direction of the reporting individual. A reporting individual need not disclose activities performed while lawfully acting in his or her capacity as provided in paragraphs (c), (d), (e) and (f) of subdivision seven of section seventy-three of this article.

Client	Matter	Nature of Services Provided	Category of Amount (in Table I)
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(b-2) APPLICABLE ONLY TO NEW CLIENTS OR CUSTOMERS FOR WHOM SERVICES ARE PROVIDED ON OR AFTER DECEMBER THIRTY-FIRST, TWO THOUSAND FIFTEEN, OR FOR NEW MATTERS FOR EXISTING CLIENTS OR CUSTOMERS WITH RESPECT TO THOSE SERVICES THAT ARE PROVIDED ON OR AFTER DECEMBER THIRTY-FIRST, TWO THOUSAND FIFTEEN (FOR PURPOSES OF THIS QUESTION, "SERVICES" SHALL MEAN CONSULTATION, REPRESENTATION, ADVICE OR OTHER SERVICES):

(i) With respect to reporting individuals who receive ten thousand dollars or more from employment or activity reportable under question 8(a), for each client or customer NOT otherwise disclosed or exempted in question 8 or 13, disclose the name of each client or customer known to the reporting individual to whom the reporting individual provided services: (A) who paid the reporting individual in excess of five thousand dollars for such services; or (B) who had been billed with the knowledge of the reporting individual in excess of five thousand dollars by the firm or other entity named in question 8(a) for the reporting individual's services.

Client	Services Actually Provided	Category of Amount (in Table I)
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FOLLOWING IS AN ILLUSTRATIVE, NON-EXCLUSIVE LIST OF EXAMPLES OF DESCRIPTIONS OF "SERVICES ACTUALLY PROVIDED":

- * REVIEWED DOCUMENTS AND CORRESPONDENCE;
- * REPRESENTED CLIENT (IDENTIFY CLIENT BY NAME) IN LEGAL PROCEEDING;
- * PROVIDED LEGAL ADVICE ON CLIENT MATTER (IDENTIFY CLIENT BY NAME);
- * CONSULTED WITH CLIENT OR CONSULTED WITH
LAW PARTNERS/ASSOCIATES/MEMBERS
OF FIRM ON CLIENT MATTER (IDENTIFY CLIENT BY NAME);
- * PREPARED CERTIFIED FINANCIAL STATEMENT FOR CLIENT (IDENTIFY
CLIENT BY
NAME);
- * REFERRED INDIVIDUAL OR ENTITY (IDENTIFY CLIENT BY NAME) FOR
REPRESENTATION OR CONSULTATION;
- * COMMERCIAL BROKERING SERVICES (IDENTIFY CUSTOMER BY NAME);
- * PREPARED CERTIFIED ARCHITECTURAL OR ENGINEERING
RENDERINGS FOR CLIENT (IDENTIFY CUSTOMER BY NAME);

1 * COURT APPOINTED GUARDIAN OR EVALUATOR (IDENTIFY COURT NOT CLIENT).
 2 (ii) With respect to reporting individuals who disclosed in question
 3 8(a) that the reporting individual did not provide services to a client
 4 but provided services to a firm or business, identify the category of
 5 amount received for providing such services and describe the services
 6 rendered.
 7 Services Actually Provided Category of Amount (Table I)

8 A reporting individual need not disclose activities performed while
 9 lawfully acting in his or her capacity as provided in paragraphs (c),
 10 (d), (e) and (f) of subdivision seven of section seventy-three of this
 11 article.
 12 The disclosure requirement in questions (b-1) and (b-2) shall not
 13 require disclosing clients or customers receiving medical, pharmaceu-
 14 tical or dental services, mental health services, or residential real
 15 estate brokering services from the reporting individual or his or her
 16 firm or if federal law prohibits or limits disclosure. The reporting
 17 individual need not identify any client to whom he or she or his or her
 18 firm provided legal representation with respect to investigation or
 19 prosecution by law enforcement authorities, bankruptcy, family court,
 20 estate planning, or domestic relations matters, nor shall the reporting
 21 individual identify individuals represented pursuant to an insurance
 22 policy but the reporting individual shall in such circumstances only
 23 report the entity that provides compensation to the reporting individ-
 24 ual; with respect to matters in which the client's name is required by
 25 law to be kept confidential (such as matters governed by the family
 26 court act) or in matters in which the reporting individual represents or
 27 provides services to minors, the client's name may be replaced with
 28 initials. To the extent that the reporting individual, or his or her
 29 firm, provided legal representation with respect to an initial public
 30 offering, and professional disciplinary rules, federal law or regu-
 31 lations restrict the disclosure of information relating to such work,
 32 the reporting individual shall (i) disclose the identity of the client
 33 and the services provided relating to the initial public offering to the
 34 office of court administration, who will maintain such information
 35 confidentially in a locked box; and (ii) include in his or her response
 36 to questions (b-1) and (b-2) that pursuant to this paragraph, a disclo-
 37 sure to the office of court administration has been made. Upon such time
 38 that the disclosure of information maintained in the locked box is no
 39 longer restricted by professional disciplinary rules, federal law or
 40 regulation, the reporting individual shall disclose such information in
 41 an amended disclosure statement in response to the disclosure require-
 42 ments in questions (b-1) and (b-2). The office of court administration
 43 shall develop and maintain a secure portal through which information
 44 submitted to it pursuant to this paragraph can be safely and confiden-
 45 tially stored. With respect to clients represented in other matters not
 46 otherwise exempt, the reporting individual may request an exemption to
 47 publicly disclosing the name of that client from the joint commission
 48 pursuant to paragraph (i-1) of subdivision nine of section ninety-four
 49 of the executive law, or from the office of court administration. In
 50 such application, the reporting individual shall state the following:
 51 "My client is not currently receiving my services or seeking my services
 52 in connection with:

1 (i) A proposed bill or resolution in the senate or assembly during the
2 reporting period;

3 (ii) A contract in an amount totaling \$10,000 or more from the state
4 or any state agency for services, materials, or property;

5 (iii) A grant of \$10,000 or more from the state or any state agency
6 during the reporting period;

7 (iv) A grant obtained through a legislative initiative during the
8 reporting period; or

9 (v) A case, proceeding, application or other matter that is not a
10 ministerial matter before a state agency during the reporting period."

11 In reviewing the request for an exemption, the joint commission or the
12 office of court administration may consult with bar or other profes-
13 sional associations and the legislative ethics commission for individ-
14 uals subject to its jurisdiction and may consider the rules of profes-
15 sional conduct. In making its determination, the joint commission or the
16 office of court administration shall conduct its own inquiry and shall
17 consider factors including, but not limited to: (i) the nature and the
18 size of the client; (ii) whether the client has any business before the
19 state; and if so, how significant the business is; and whether the
20 client has any particularized interest in pending legislation and if so
21 how significant the interest is; (iii) whether disclosure may reveal
22 trade secrets; (iv) whether disclosure could reasonably result in retal-
23 iation against the client; (v) whether disclosure may cause undue harm
24 to the client; (vi) whether disclosure may result in undue harm to the
25 attorney-client relationship; and (vii) whether disclosure may result in
26 an unnecessary invasion of privacy to the client.

27 The joint commission or, as the case may be, the office of court
28 administration shall promptly make a final determination in response to
29 such request, which shall include an explanation for its determination.
30 The office of court administration shall issue its final determination
31 within three days of receiving the request. Notwithstanding any other
32 provision of law or any professional disciplinary rule to the contrary,
33 the disclosure of the identity of any client or customer in response to
34 this question shall not constitute professional misconduct or a ground
35 for disciplinary action of any kind, or form the basis for any civil or
36 criminal cause of action or proceeding. A reporting individual who first
37 enters public office after January first, two thousand sixteen, need not
38 report clients or customers with respect to matters for which the
39 reporting individual or his or her firm was retained prior to entering
40 public office.

41 (c) APPLICABLE ONLY TO NEW CLIENTS OR CUSTOMERS FOR WHOM SERVICES ARE
42 PROVIDED ON OR AFTER DECEMBER THIRTY-FIRST, TWO THOUSAND FIFTEEN, OR FOR
43 NEW MATTERS FOR EXISTING CLIENTS OR CUSTOMERS WITH RESPECT TO THOSE
44 SERVICES THAT ARE PROVIDED ON OR AFTER DECEMBER THIRTY-FIRST, TWO THOU-
45 SAND FIFTEEN:

46 If the reporting individual receives income of ten thousand dollars or
47 greater from any employment or activity reportable under question 8(a),
48 identify each registered lobbyist who has directly referred to such
49 individual a client who was successfully referred to the reporting indi-
50 vidual's business and from whom the reporting individual or firm
51 received a fee for services in excess of five thousand dollars. Report
52 only those referrals that were made to a reporting individual by direct
53 communication from a person known to such reporting individual to be a
54 registered lobbyist at the time the referral is made. With respect to
55 each such referral, the reporting individual shall identify the client,
56 the registered lobbyist who has made the referral, the category of value

1 of the compensation received and a general description of the type of
2 matter so referred. A reporting individual need not disclose activities
3 performed while lawfully acting pursuant to paragraphs (c), (d), (e) and
4 (f) of subdivision seven of section seventy-three of this article. The
5 disclosure requirements in this question shall not require disclosing
6 clients or customers receiving medical, pharmaceutical or dental
7 services, mental health services, or residential real estate brokering
8 services from the reporting individual or his or her firm or if federal
9 law prohibits or limits disclosure. The reporting individual need not
10 identify any client to whom he or she or his or her firm provided legal
11 representation with respect to investigation or prosecution by law
12 enforcement authorities, bankruptcy, family court, estate planning, or
13 domestic relations matters, nor shall the reporting individual identify
14 individuals represented pursuant to an insurance policy but the report-
15 ing individual shall in such circumstances only report the entity that
16 provides compensation to the reporting individual; with respect to
17 matters in which the client's name is required by law to be kept confi-
18 dential (such as matters governed by the family court act) or in matters
19 in which the reporting individual represents or provides services to
20 minors, the client's name may be replaced with initials. To the extent
21 that the reporting individual, or his or her firm, provided legal repre-
22 sentation with respect to an initial public offering, and federal law or
23 regulations restricts the disclosure of information relating to such
24 work, the reporting individual shall (i) disclose the identity of the
25 client and the services provided relating to the initial public offering
26 to the office of court administration, who will maintain such informa-
27 tion confidentially in a locked box; and (ii) include in his or her
28 response a statement that pursuant to this paragraph, a disclosure to
29 the office of court administration has been made. Upon such time that
30 the disclosure of information maintained in the locked box is no longer
31 restricted by federal law or regulation, the reporting individual shall
32 disclose such information in an amended disclosure statement in response
33 to the disclosure requirements of this paragraph. The office of court
34 administration shall develop and maintain a secure portal through which
35 information submitted to it pursuant to this paragraph can be safely and
36 confidentially stored. With respect to clients represented in other
37 matters not otherwise exempt, the reporting individual may request an
38 exemption to publicly disclosing the name of that client from the joint
39 commission pursuant to paragraph (i-1) of subdivision nine of section
40 ninety-four of the executive law, or from the office of court adminis-
41 tration. In such application, the reporting individual shall state the
42 following: "My client is not currently receiving my services or seeking
43 my services in connection with:

44 (i) A proposed bill or resolution in the senate or assembly during the
45 reporting period;

46 (ii) A contract in an amount totaling \$10,000 or more from the state
47 or any state agency for services, materials, or property;

48 (iii) A grant of \$10,000 or more from the state or any state agency
49 during the reporting period;

50 (iv) A grant obtained through a legislative initiative during the
51 reporting period; or

52 (v) A case, proceeding, application or other matter that is not a
53 ministerial matter before a state agency during the reporting period."

54 In reviewing the request for an exemption, the joint commission or the
55 office of court administration may consult with bar or other profes-
56 sional associations and the legislative ethics commission for individ-

1 uals subject to its jurisdiction and may consider the rules of profes-
 2 sional conduct. In making its determination, the joint commission or the
 3 office of court administration shall conduct its own inquiry and shall
 4 consider factors including, but not limited to: (i) the nature and the
 5 size of the client; (ii) whether the client has any business before the
 6 state; and if so, how significant the business is; and whether the
 7 client has any particularized interest in pending legislation and if so
 8 how significant the interest is; (iii) whether disclosure may reveal
 9 trade secrets; (iv) whether disclosure could reasonably result in retal-
 10 iation against the client; (v) whether disclosure may cause undue harm
 11 to the client; (vi) whether disclosure may result in undue harm to the
 12 attorney-client relationship; and (vii) whether disclosure may result in
 13 an unnecessary invasion of privacy to the client.

14 The joint commission or, as the case may be, the office of court
 15 administration shall promptly make a final determination in response to
 16 such request, which shall include an explanation for its determination.
 17 The office of court administration shall issue its final determination
 18 within three days of receiving the request. Notwithstanding any other
 19 provision of law or any professional disciplinary rule to the contrary,
 20 the disclosure of the identity of any client or customer in response to
 21 this question shall not constitute professional misconduct or a ground
 22 for disciplinary action of any kind, or form the basis for any civil or
 23 criminal cause of action or proceeding. A reporting individual who first
 24 enters public office after December thirty-first, two thousand fifteen,
 25 need not report clients or customers with respect to matters for which
 26 the reporting individual or his or her firm was retained prior to enter-
 27 ing public office.

28 Client	Name of Lobbyist	Description of Matter	Category of Amount (in Table 1)
29			
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31			
32			
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34			

35 (d) List the name, principal address and general description or the
 36 nature of the business activity of any entity in which the reporting
 37 individual or such individual's spouse had an investment in excess of
 38 \$1,000 excluding investments in securities and interests in real proper-
 39 ty.

40 9. List each source of gifts, EXCLUDING campaign contributions, in
 41 EXCESS of \$1,000, received during the reporting period for which this
 42 statement is filed by the reporting individual or such individual's
 43 spouse or unemancipated child from the same donor, EXCLUDING gifts from
 44 a relative. INCLUDE the name and address of the donor. The term "gifts"
 45 does not include reimbursements, which term is defined in item 10.
 46 Indicate the value and nature of each such gift.

	Self, Spouse or Child	Name of Donor	Address	Nature of Gift	Category of Value of Gift (In Table I)
1					
2					
3					
4					
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8					
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10					

11 10. Identify and briefly describe the source of any reimbursements for
 12 expenditures, EXCLUDING campaign expenditures and expenditures in
 13 connection with official duties reimbursed by the state, in EXCESS
 14 of \$1,000 from each such source. For purposes of this item, the term
 15 "reimbursements" shall mean any travel-related expenses provided by
 16 nongovernmental sources and for activities related to the reporting
 17 individual's official duties such as, speaking engagements, confer-
 18 ences, or factfinding events. The term "reimbursements" does NOT
 19 include gifts reported under item 9.

	Source	Description
20		
21		
22		
23		
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25		

26 11. List the identity and value, if reasonably ascertainable, of each
 27 interest in a trust, estate or other beneficial interest, including
 28 retirement plans (other than retirement plans of the state of New
 29 York or the city of New York), and deferred compensation plans
 30 (e.g., 401, 403(b), 457, etc.) established in accordance with the
 31 internal revenue code, in which the REPORTING INDIVIDUAL held a
 32 beneficial interest in EXCESS of \$1,000 at any time during the
 33 preceding year. Do NOT report interests in a trust, estate or other
 34 beneficial interest established by or for, or the estate of, a rela-
 35 tive.

	Identity	Category of Value* (In Table II)
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44 * The value of such interest shall be reported only if reasonably
 45 ascertainable.

46 12. (a) Describe the terms of, and the parties to, any contract, prom-
 47 ise, or other agreement between the reporting individual and any
 48 person, firm, or corporation with respect to the employment of such

individual after leaving office or position (other than a leave of absence).

- (b) Describe the parties to and the terms of any agreement providing for continuation of payments or benefits to the REPORTING INDIVIDUAL in EXCESS of \$1,000 from a prior employer OTHER THAN the State. (This includes interests in or contributions to a pension fund, profit-sharing plan, or life or health insurance; buy-out agreements; severance payments; etc.)

13. List below the nature and amount of any income in EXCESS of \$1,000 from EACH SOURCE for the reporting individual and such individual's spouse for the taxable year last occurring prior to the date of filing. Each such source must be described with particularity. Nature of income includes, but is not limited to, all income (other than that received from the employment listed under Item 2 above) from compensated employment whether public or private, directorships and other fiduciary positions, contractual arrangements, teaching income, partnerships, honorariums, lecture fees, consultant fees, bank and bond interest, dividends, income derived from a trust, real estate rents, and recognized gains from the sale or exchange of real or other property. Income from a business or profession and real estate rents shall be reported with the source identified by the building address in the case of real estate rents and otherwise by the name of the entity and not by the name of the individual customers, clients or tenants, with the aggregate net income before taxes for each building address or entity. The receipt of maintenance received in connection with a matrimonial action, alimony and child support payments shall not be listed.

Self/ Spouse	Source	Nature	Category of Amount (In Table I)
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14. List the sources of any deferred income (not retirement income) in EXCESS of \$1,000 from each source to be paid to the reporting individual following the close of the calendar year for which this disclosure statement is filed, other than deferred compensation

reported in item 11 hereinabove. Deferred income derived from the practice of a profession shall be listed in the aggregate and shall identify as the source, the name of the firm, corporation, partnership or association through which the income was derived, but shall not identify individual clients.

Source	Category of Amount (In Table I)
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15. List each assignment of income in EXCESS of \$1,000, and each transfer other than to a relative during the reporting period for which this statement is filed for less than fair consideration of an interest in a trust, estate or other beneficial interest, securities or real property, by the reporting individual, in excess of \$1,000, which would otherwise be required to be reported herein and is not or has not been so reported.

Item Assigned or Transferred	Assigned or Transferred to	Category of Value (In Table I)
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16. List below the type and market value of securities held by the reporting individual or such individual's spouse from each issuing entity in EXCESS of \$1,000 at the close of the taxable year last occurring prior to the date of filing, including the name of the issuing entity exclusive of securities held by the reporting individual issued by a professional corporation. Whenever an interest in securities exists through a beneficial interest in a trust, the securities held in such trust shall be listed ONLY IF the reporting individual has knowledge thereof except where the reporting individual or the reporting individual's spouse has transferred assets to such trust for his or her benefit in which event such securities shall be listed unless they are not ascertainable by the reporting individual because the trustee is under an obligation or has been instructed in writing not to disclose the contents of the trust to the reporting individual. Securities of which the reporting individual or the reporting individual's spouse is the owner of record but in which such individual or the reporting individual's spouse has no beneficial interest shall not be listed. Indicate percentage of ownership ONLY if the reporting person or the reporting person's spouse holds more than five percent (5%) of the stock of a corporation in which the stock is publicly traded or more than ten percent (10%) of the stock of a corporation in which the stock is

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6 18. List below all notes and accounts receivable, other than from goods
7 or services sold, held by the reporting individual at the close of
8 the taxable year last occurring prior to the date of filing and
9 other debts owed to such individual at the close of the taxable year
10 last occurring prior to the date of filing, in EXCESS of \$1,000,
11 including the name of the debtor, type of obligation, date due and
12 the nature of the collateral securing payment of each, if any,
13 excluding securities reported in item 16 hereinabove. Debts, notes
14 and accounts receivable owed to the individual by a relative shall
15 not be reported.

16	Name of Debtor	Type of Obligation, Date Due, and Nature of Collateral, if any	Category of Amount (In Table II)
17			
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25 19. List below all liabilities of the reporting individual and such
26 individual's spouse, in EXCESS of \$10,000 as of the date of filing
27 of this statement, other than liabilities to a relative. Do NOT list
28 liabilities incurred by, or guarantees made by, the reporting indi-
29 vidual or such individual's spouse or by any proprietorship, part-
30 nership or corporation in which the reporting individual or such
31 individual's spouse has an interest, when incurred or made in the
32 ordinary course of the trade, business or professional practice of
33 the reporting individual or such individual's spouse. Include the
34 name of the creditor and any collateral pledged by such individual
35 to secure payment of any such liability. A reporting individual
36 shall not list any obligation to pay maintenance in connection with
37 a matrimonial action, alimony or child support payments. Any loan
38 issued in the ordinary course of business by a financial institution
39 to finance educational costs, the cost of home purchase or improve-
40 ments for a primary or secondary residence, or purchase of a
41 personally owned motor vehicle, household furniture or appliances
42 shall be excluded. If any such reportable liability has been guaran-
43 teed by any third person, list the liability and name the guarantor.

44	Name of Creditor or Guarantor	Type of Liability and Collateral, if any	Category of Amount (In Table II)
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46			
47			
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The requirements of law relating to the reporting of financial interests are in the public interest and no adverse inference of unethical or illegal conduct or behavior will be drawn merely from compliance with these requirements.

(Signature of Reporting Individual) Date (month/day/year)

TABLE I

Category A	none		
Category B	\$	1 to under	\$ 1,000
Category C	\$	1,000 to under	\$ 5,000
Category D	\$	5,000 to under	\$ 20,000
Category E	\$	20,000 to under	\$ 50,000
Category F	\$	50,000 to under	\$ 75,000
Category G	\$	75,000 to under	\$ 100,000
Category H	\$	100,000 to under	\$ 150,000
Category I	\$	150,000 to under	\$ 250,000
Category J	\$	250,000 to under	\$ 350,000
Category K	\$	350,000 to under	\$ 450,000
Category L	\$	450,000 to under	\$ 550,000
Category M	\$	550,000 to under	\$ 650,000
Category N	\$	650,000 to under	\$ 750,000
Category O	\$	750,000 to under	\$ 850,000
Category P	\$	850,000 to under	\$ 950,000
Category Q	\$	950,000 to under	\$1,050,000
Category R	\$1,050,000	to under	\$1,150,000
Category S	\$1,150,000	to under	\$1,250,000
Category T	\$1,250,000	to under	\$1,350,000
Category U	\$1,350,000	to under	\$1,450,000
Category V	\$1,450,000	to under	\$1,550,000
Category W	\$1,550,000	to under	\$1,650,000
Category X	\$1,650,000	to under	\$1,750,000
Category Y	\$1,750,000	to under	\$1,850,000
Category Z	\$1,850,000	to under	\$1,950,000
Category AA	\$1,950,000	to under	\$2,050,000
Category BB	\$2,050,000	to under	\$2,150,000
Category CC	\$2,150,000	to under	\$2,250,000
Category DD	\$2,250,000	to under	\$2,350,000
Category EE	\$2,350,000	to under	\$2,450,000
Category FF	\$2,450,000	to under	\$2,550,000
Category GG	\$2,550,000	to under	\$2,650,000
Category HH	\$2,650,000	to under	\$2,750,000
Category II	\$2,750,000	to under	\$2,850,000
Category JJ	\$2,850,000	to under	\$2,950,000
Category KK	\$2,950,000	to under	\$3,050,000
Category LL	\$3,050,000	to under	\$3,150,000
Category MM	\$3,150,000	to under	\$3,250,000
Category NN	\$3,250,000	to under	\$3,350,000
Category OO	\$3,350,000	to under	\$3,450,000
Category PP	\$3,450,000	to under	\$3,550,000
Category QQ	\$3,550,000	to under	\$3,650,000
Category RR	\$3,650,000	to under	\$3,750,000

1	Category SS	\$3,750,000	to under	\$3,850,000	
2	Category TT	\$3,850,000	to under	\$3,950,000	
3	Category UU	\$3,950,000	to under	\$4,050,000	
4	Category VV	\$4,050,000	to under	\$4,150,000	
5	Category WW	\$4,150,000	to under	\$4,250,000	
6	Category XX	\$4,250,000	to under	\$4,350,000	
7	Category YY	\$4,350,000	to under	\$4,450,000	
8	Category ZZ	\$4,450,000	to under	\$4,550,000	
9	Category AAA	\$4,550,000	to under	\$4,650,000	
10	Category BBB	\$4,650,000	to under	\$4,750,000	
11	Category CCC	\$4,750,000	to under	\$4,850,000	
12	Category DDD	\$4,850,000	to under	\$4,950,000	
13	Category EEE	\$4,950,000	to under	\$5,050,000	
14	Category FFF	\$5,050,000	to under	\$5,150,000	
15	Category GGG	\$5,150,000	to under	\$5,250,000	
16	Category HHH	\$5,250,000	to under	\$5,350,000	
17	Category III	\$5,350,000	to under	\$5,450,000	
18	Category JJJ	\$5,450,000	to under	\$5,550,000	
19	Category KKK	\$5,550,000	to under	\$5,650,000	
20	Category LLL	\$5,650,000	to under	\$5,750,000	
21	Category MMM	\$5,750,000	to under	\$5,850,000	
22	Category NNN	\$5,850,000		\$5,850,000	to under \$5,950,000
23	Category OOO	\$5,950,000	to under	\$6,050,000	
24	Category PPP	\$6,050,000	to under	\$6,150,000	
25	Category QQQ	\$6,150,000	to under	\$6,250,000	
26	Category RRR	\$6,250,000	to under	\$6,350,000	
27	Category SSS	\$6,350,000	to under	\$6,450,000	
28	Category TTT	\$6,450,000	to under	\$6,550,000	
29	Category UUU	\$6,550,000	to under	\$6,650,000	
30	Category VVV	\$6,650,000	to under	\$6,750,000	
31	Category WWW	\$6,750,000	to under	\$6,850,000	
32	Category XXX	\$6,850,000	to under	\$6,950,000	
33	Category YYY	\$6,950,000	to under	\$7,050,000	
34	Category ZZZ	\$7,050,000	to under	\$7,150,000	
35	Category AAAA	\$7,150,000	to under	\$7,250,000	
36	Category BBBB	\$7,250,000	to under	\$7,350,000	
37	Category CCCC	\$7,350,000	to under	\$7,450,000	
38	Category DDDD	\$7,450,000	to under	\$7,550,000	
39	Category EEEE	\$7,550,000	to under	\$7,650,000	
40	Category FFFF	\$7,650,000	to under	\$7,750,000	
41	Category GGGG	\$7,750,000	to under	\$7,850,000	
42	Category HHHH	\$7,850,000	to under	\$7,950,000	
43	Category IIII	\$7,950,000	to under	\$8,050,000	
44	Category JJJJ	\$8,050,000	to under	\$8,150,000	
45	Category KKKK	\$8,150,000	to under	\$8,250,000	
46	Category LLLL	\$8,250,000	to under	\$8,350,000	
47	Category MMMM	\$8,350,000	to under	\$8,450,000	
48	Category NNNN	\$8,450,000	to under	\$8,550,000	
49	Category OOOO	\$8,550,000	to under	\$8,650,000	
50	Category PPPP	\$8,650,000	to under	\$8,750,000	
51	Category QQQQ	\$8,750,000	to under	\$8,850,000	
52	Category RRRR	\$8,850,000	to under	\$8,950,000	
53	Category SSSS	\$8,950,000	to under	\$9,050,000	
54	Category TTTT	\$9,050,000	to under	\$9,150,000	
55	Category UUUU	\$9,150,000	to under	\$9,250,000	
56	Category VVVV	\$9,250,000	to under	\$9,350,000	

1	Category WWW	\$9,350,000	to under	\$9,450,000
2	Category XXXX	\$9,450,000	to under	\$9,550,000
3	Category YYYY	\$9,550,000	to under	\$9,650,000
4	Category ZZZZ	\$9,650,000	to under	\$9,750,000
5	Category AAAAA	\$9,750,000	to under	\$9,850,000
6	Category BBBB	\$9,850,000	to under	\$9,950,000
7	Category CCCCC	\$9,950,000	to under	\$10,000,000
8	Category DDDDD	\$10,000,000	or over	

TABLE II

9				
10	Category A		none	
11	Category B	\$	1	to under \$ 1,000
12	Category C	\$	1,000	to under \$ 5,000
13	Category D	\$	5,000	to under \$ 20,000
14	Category E	\$	20,000	to under \$ 50,000
15	Category F	\$	50,000	to under \$ 75,000
16	Category G	\$	75,000	to under \$ 100,000
17	Category H	\$	100,000	to under \$ 150,000
18	Category I	\$	150,000	to under \$ 250,000
19	Category J	\$	250,000	to under \$ 500,000
20	Category K	\$	500,000	to under \$ 750,000
21	Category L	\$	750,000	to under \$1,000,000
22	Category M	\$1,000,000	to under	\$1,250,000
23	Category N	\$1,250,000	to under	\$1,500,000
24	Category O	\$1,500,000	to under	\$1,750,000
25	Category P	\$1,750,000	to under	\$2,000,000
26	Category Q	\$2,000,000	to under	\$2,250,000
27	Category R	\$2,250,000	to under	\$2,500,000
28	Category S	\$2,500,000	to under	\$2,750,000
29	Category T	\$2,750,000	to under	\$3,000,000
30	Category U	\$3,000,000	to under	\$3,250,000
31	Category V	\$3,250,000	to under	\$3,500,000
32	Category W	\$3,500,000	to under	\$3,750,000
33	Category X	\$3,750,000	to under	\$4,000,000
34	Category Y	\$4,000,000	to under	\$4,250,000
35	Category Z	\$4,250,000	to under	\$4,500,000
36	Category AA	\$4,500,000	to under	\$4,750,000
37	Category BB	\$4,750,000	to under	\$5,000,000
38	Category CC	\$5,000,000	to under	\$5,250,000
39	Category DD	\$5,250,000	to under	\$5,500,000
40	Category EE	\$5,500,000	to under	\$5,750,000
41	Category FF	\$5,750,000	to under	\$6,000,000
42	Category GG	\$6,000,000	to under	\$6,250,000
43	Category HH	\$6,250,000	to under	\$6,500,000
44	Category II	\$6,500,000	to under	\$6,750,000
45	Category JJ	\$6,750,000	to under	\$7,000,000
46	Category KK	\$7,000,000	to under	\$7,250,000
47	Category LL	\$7,250,000	to under	\$7,500,000
48	Category MM	\$7,500,000	to under	\$7,750,000
49	Category NN	\$7,750,000	to under	\$8,000,000
50	Category OO	\$8,000,000	to under	\$8,250,000
51	Category PP	\$8,250,000	to under	\$8,500,000
52	Category QQ	\$8,500,000	to under	\$8,750,000
53	Category RR	\$8,750,000	to under	\$9,000,000
54	Category SS	\$9,000,000	to under	\$9,250,000

1 Category TT \$9,250,000 to under \$9,500,000
2 Category UU \$9,500,000 or over

3 (b) The joint commission on public ethics shall make available an
4 editable, electronic, readable and searchable version of the annual
5 statement of financial disclosure by January first, two thousand twenty
6 to all those required by law to submit such forms.

7 § 3. This act shall take effect immediately; provided however that
8 section one of this act shall take effect January 1, 2021.