STATE OF NEW YORK

4993

2021-2022 Regular Sessions

IN ASSEMBLY

February 10, 2021

Introduced by M. of A. ABINANTI -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to contributions by executive appointees

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

Section 1. The election law is amended by adding a new section 14-131 to read as follows:

§ 14-131. Contributions by executive appointees. 1. (a) No individual appointed by the governor, including but not limited to appointees to any commission, board, council, panel, or public authority, shall make a monetary contribution to the campaign of such governor or to any political campaign committee organized by or for the specific benefit of such governor.

(b) Such prohibition shall apply to any contributions occurring one year prior to, during the term of, and one year following the term of his or her appointment.

(c) Such prohibition shall also apply to anyone residing in the appointee's household including, but not limited to, a spouse, domestic partner, or child.

2. Before an individual is appointed by the governor, the appointee shall identify any contributions made to such governor within the twelve-month period immediately prior to the date of appointment, and such governor shall refund the entire amount of any such contribution.

3. No appointee shall request or demand that any other person make or offer to make any monetary contribution to the campaign of such governor or to any political campaign committee organized by or for the specific benefit of such governor.

4. Such prohibition shall apply regardless of the method of removing such appointee from office, or regardless of any requirement on the appointee to file a statement of financial disclosure.

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

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§ 2. Section 14-126 of the election law is amended by adding a new subdivision 8 to read as follows:

8. (a) Any person who, under circumstances evincing an intent to violate such law, makes or receives a contribution in contravention of section 14-131 of this article shall be subject to a civil penalty not to exceed the greater of ten thousand dollars or an amount equal to two hundred percent of the contribution.

(b) Any person who, acting as or on behalf of an officeholder, candidate, or political committee, accepts a contribution or receives a transfer in contravention of section 14-131 of this article shall be required to refund such contribution.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.