

# STATE OF NEW YORK

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6263--A

2021-2022 Regular Sessions

## IN SENATE

April 19, 2021

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Introduced by Sen. BIAGGI -- read twice and ordered printed, and when printed to be committed to the Committee on Ethics and Internal Governance -- recommitted to the Committee on Ethics and Internal Governance in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public officers law, in relation to required financial disclosures for certain state and legislative officials, officers and employees

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

1 Section 1. Paragraph 8 and table I of subdivision 3 of section 73-a of  
2 the public officers law, paragraph 8 as amended by section 6 of part K  
3 of chapter 286 of the laws of 2016, table I as amended by section 5 of  
4 part A of chapter 399 of the laws of 2011, are amended to read as  
5 follows:  
6 8. (a) If the reporting individual practices law, is licensed by the  
7 department of state as a real estate broker or agent or practices a  
8 profession licensed by the department of education, or works as a member  
9 or employee of a firm required to register pursuant to section one-e of  
10 the legislative law as a lobbyist, describe the services rendered for  
11 which compensation was paid including a general description of the prin-  
12 cipal subject areas of matters undertaken by such individual and princi-  
13 pal duties performed. Specifically state whether the reporting individ-  
14 ual provides services directly to clients. Additionally, if such an  
15 individual practices with a firm or corporation and is a partner or  
16 shareholder of the firm or corporation, give a general description of  
17 principal subject areas of matters undertaken by such firm or corpo-  
18 ration.

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

LBD10922-02-2

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

~~Client Nature of Services Provided~~

~~(b-1) 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).]~~

If the reporting individual receives income from employment reportable in question 8(a) and 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"), the reporting individual shall 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 in direct connection with:

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

(ii) A grant of \$10,000 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 such services rendered by the reporting individual directly to each such client, describe each matter that was the subject of such representation, the services actually provided and the payment received. For payments received from clients referred to the firm by the reporting individual, if the reporting individual directly received a referral fee or fees for such referral, identify the client and the payment so received. For the purposes of this question, "services" shall mean consultation, representation, advice or other services.

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 having knowingly solicited or directed 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 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).]~~

(b-1) For the 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	Category of Amount
	Actually Provided	(in Table I)

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);
- \* COURT APPOINTED GUARDIAN OR EVALUATOR (IDENTIFY COURT NOT CLIENT).

(ii) With respect to reporting individuals who disclosed in question 8(a) that the reporting individual did not provide services to a client but provided services to a firm or business, identify the category of amount received for providing such services and describe the services rendered.

Services Actually Provided	Category of Amount (Table I)
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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.

The disclosure requirement in questions (b) and (b-1) [~~and (b-2)~~] shall not require disclosing clients or customers receiving medical, pharmaceutical or dental services, mental health services, or residential real estate brokering services from the reporting individual or his or her firm or if federal law prohibits or limits disclosure. The reporting individual need not identify any client to whom he or she or his or her firm provided legal representation with respect to investigation or prosecution by law enforcement authorities, bankruptcy, family court, estate planning, or domestic relations matters, nor shall the reporting individual identify individuals represented pursuant to an insurance policy but the reporting individual shall in such circumstances only report the entity that provides compensation to the reporting individual; with respect to matters in which the client's name is required by law to be kept confidential (such as matters governed by the family court act) or in matters in which the reporting individual represents or provides services to minors, the client's name may be replaced with initials. To the extent that the reporting individual, or his or her firm, provided legal representation with respect to an initial public offering, and professional disciplinary rules, federal law or regulations restrict the disclosure of information relating to such work, the reporting individual shall (i) disclose the identity of the client and the services provided relating to the initial public offering to the office of court administration, who will maintain such information confidentially in a locked box; and (ii) include in his or her response to questions (b) and (b-1) [~~and (b-2)~~] that pursuant to this paragraph, a disclosure to the office of court administration has been made. Upon such time that the disclosure of information maintained in the locked box is no longer restricted by professional disciplinary rules, federal law or regulation, the reporting individual shall disclose such information in an amended disclosure statement in response to the disclosure requirements in questions (b) and (b-1) [~~and (b-2)~~]. The office of court administration shall develop and maintain a secure portal through which information submitted to it pursuant to this paragraph can be safely and confidentially stored. With respect to clients represented in other matters not otherwise exempt, the reporting individual may request an exemption to publicly disclosing the name of that client from the joint commission pursuant to paragraph (i-1) of subdivision nine of section ninety-four of the executive law, or from the office of court administration. In such application, the reporting individual shall state the following: "My client is not currently receiving my services or seeking my services in connection with:

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

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

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

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

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

In reviewing the request for an exemption, the joint commission or the office of court administration may consult with bar or other professional 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 January first, two thousand sixteen, need not  
25 report clients or customers with respect to matters for which the  
26 reporting individual or his or her firm was retained prior to entering  
27 public office.

28 (c) [~~APPLICABLE ONLY TO NEW CLIENTS OR CUSTOMERS FOR WHOM SERVICES ARE~~  
29 ~~PROVIDED ON OR AFTER DECEMBER THIRTY-FIRST, TWO THOUSAND FIFTEEN, OR FOR~~  
30 ~~NEW MATTERS FOR EXISTING CLIENTS OR CUSTOMERS WITH RESPECT TO THOSE~~  
31 ~~SERVICES THAT ARE PROVIDED ON OR AFTER DECEMBER THIRTY-FIRST, TWO THOU-~~  
32 ~~SAND FIFTEEN.~~]

33 If the reporting individual receives income of ten thousand dollars or  
34 greater from any employment or activity reportable under question 8(a),  
35 identify each registered lobbyist who has directly referred to such  
36 individual a client who was successfully referred to the reporting indi-  
37 vidual's business and from whom the reporting individual or firm  
38 received a fee for services in excess of five thousand dollars. Report  
39 only those referrals that were made to a reporting individual by direct  
40 communication from a person known to such reporting individual to be a  
41 registered lobbyist at the time the referral is made. With respect to  
42 each such referral, the reporting individual shall identify the client,  
43 the registered lobbyist who has made the referral, the category of value  
44 of the compensation received and a general description of the type of  
45 matter so referred. A reporting individual need not disclose activities  
46 performed while lawfully acting pursuant to paragraphs (c), (d), (e) and  
47 (f) of subdivision seven of section seventy-three of this article. The  
48 disclosure requirements in this question shall not require disclosing  
49 clients or customers receiving medical, pharmaceutical or dental  
50 services, mental health services, or residential real estate brokering  
51 services from the reporting individual or his or her firm or if federal  
52 law prohibits or limits disclosure. The reporting individual need not  
53 identify any client to whom he or she or his or her firm provided legal  
54 representation with respect to investigation or prosecution by law  
55 enforcement authorities, bankruptcy, family court, estate planning, or  
56 domestic relations matters, nor shall the reporting individual identify

1 individuals represented pursuant to an insurance policy but the report-  
2 ing individual shall in such circumstances only report the entity that  
3 provides compensation to the reporting individual; with respect to  
4 matters in which the client's name is required by law to be kept confi-  
5 dential (such as matters governed by the family court act) or in matters  
6 in which the reporting individual represents or provides services to  
7 minors, the client's name may be replaced with initials. To the extent  
8 that the reporting individual, or his or her firm, provided legal repre-  
9 sentation with respect to an initial public offering, and federal law or  
10 regulations restricts the disclosure of information relating to such  
11 work, the reporting individual shall (i) disclose the identity of the  
12 client and the services provided relating to the initial public offering  
13 to the office of court administration, who will maintain such informa-  
14 tion confidentially in a locked box; and (ii) include in his or her  
15 response a statement that pursuant to this paragraph, a disclosure to  
16 the office of court administration has been made. Upon such time that  
17 the disclosure of information maintained in the locked box is no longer  
18 restricted by federal law or regulation, the reporting individual shall  
19 disclose such information in an amended disclosure statement in response  
20 to the disclosure requirements of this paragraph. The office of court  
21 administration shall develop and maintain a secure portal through which  
22 information submitted to it pursuant to this paragraph can be safely and  
23 confidentially stored. With respect to clients represented in other  
24 matters not otherwise exempt, the reporting individual may request an  
25 exemption to publicly disclosing the name of that client from the joint  
26 commission pursuant to paragraph (i-1) of subdivision nine of section  
27 ninety-four of the executive law, or from the office of court adminis-  
28 tration. In such application, the reporting individual shall state the  
29 following: "My client is not currently receiving my services or seeking  
30 my services in connection with:

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

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

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

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

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

41 In reviewing the request for an exemption, the joint commission or the  
42 office of court administration may consult with bar or other profes-  
43 sional associations and the legislative ethics commission for individ-  
44 uals subject to its jurisdiction and may consider the rules of profes-  
45 sional conduct. In making its determination, the joint commission or the  
46 office of court administration shall conduct its own inquiry and shall  
47 consider factors including, but not limited to: (i) the nature and the  
48 size of the client; (ii) whether the client has any business before the  
49 state; and if so, how significant the business is; and whether the  
50 client has any particularized interest in pending legislation and if so  
51 how significant the interest is; (iii) whether disclosure may reveal  
52 trade secrets; (iv) whether disclosure could reasonably result in retal-  
53 iation against the client; (v) whether disclosure may cause undue harm  
54 to the client; (vi) whether disclosure may result in undue harm to the  
55 attorney-client relationship; and (vii) whether disclosure may result in  
56 an unnecessary invasion of privacy to the client.



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

Client	Name of Lobbyist	Description of Matter	Category of Amount (in Table [I] I)
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(d) List the name, principal address and general description or the nature of the business activity of any entity in which the reporting individual or such individual's spouse had an investment in excess of \$1,000 excluding investments in securities and interests in real property.

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



1	Category BB	\$2,050,000	to under	\$2,150,000
2	Category CC	\$2,150,000	to under	\$2,250,000
3	Category DD	\$2,250,000	to under	\$2,350,000
4	Category EE	\$2,350,000	to under	\$2,450,000
5	Category FF	\$2,450,000	to under	\$2,550,000
6	Category GG	\$2,550,000	to under	\$2,650,000
7	Category HH	\$2,650,000	to under	\$2,750,000
8	Category II	\$2,750,000	to under	\$2,850,000
9	Category JJ	\$2,850,000	to under	\$2,950,000
10	Category KK	\$2,950,000	to under	\$3,050,000
11	Category LL	\$3,050,000	to under	\$3,150,000
12	Category MM	\$3,150,000	to under	\$3,250,000
13	Category NN	\$3,250,000	to under	\$3,350,000
14	Category OO	\$3,350,000	to under	\$3,450,000
15	Category PP	\$3,450,000	to under	\$3,550,000
16	Category QQ	\$3,550,000	to under	\$3,650,000
17	Category RR	\$3,650,000	to under	\$3,750,000
18	Category SS	\$3,750,000	to under	\$3,850,000
19	Category TT	\$3,850,000	to under	\$3,950,000
20	Category UU	\$3,950,000	to under	\$4,050,000
21	Category VV	\$4,050,000	to under	\$4,150,000
22	Category WW	\$4,150,000	to under	\$4,250,000
23	Category XX	\$4,250,000	to under	\$4,350,000
24	Category YY	\$4,350,000	to under	\$4,450,000
25	Category ZZ	\$4,450,000	to under	\$4,550,000
26	Category AAA	\$4,550,000	to under	\$4,650,000
27	Category BBB	\$4,650,000	to under	\$4,750,000
28	Category CCC	\$4,750,000	to under	\$4,850,000
29	Category DDD	\$4,850,000	to under	\$4,950,000
30	Category EEE	\$4,950,000	to under	\$5,050,000
31	Category FFF	\$5,050,000	to under	\$5,150,000
32	Category GGG	\$5,150,000	to under	\$5,250,000
33	Category HHH	\$5,250,000	to under	\$5,350,000
34	Category III	\$5,350,000	to under	\$5,450,000
35	Category JJJ	\$5,450,000	to under	\$5,550,000
36	Category KKK	\$5,550,000	to under	\$5,650,000
37	Category LLL	\$5,650,000	to under	\$5,750,000
38	Category MMM	\$5,750,000	to under	\$5,850,000
39	Category NNN	<del>\$5,580,000</del>	<u>\$5,850,000</u>	to under \$5,950,000
40	Category OOO	\$5,950,000	to under	\$6,050,000
41	Category PPP	\$6,050,000	to under	\$6,150,000
42	Category QQQ	\$6,150,000	to under	\$6,250,000
43	Category RRR	\$6,250,000	to under	\$6,350,000
44	Category SSS	\$6,350,000	to under	\$6,450,000
45	Category TTT	\$6,450,000	to under	\$6,550,000
46	Category UUU	\$6,550,000	to under	\$6,650,000
47	Category VVV	\$6,650,000	to under	\$6,750,000
48	Category WWW	\$6,750,000	to under	\$6,850,000
49	Category XXX	\$6,850,000	to under	\$6,950,000
50	Category YYY	\$6,950,000	to under	\$7,050,000
51	Category ZZZ	\$7,050,000	to under	\$7,150,000
52	Category AAAA	\$7,150,000	to under	\$7,250,000
53	Category BBBB	\$7,250,000	to under	\$7,350,000
54	Category CCCC	\$7,350,000	to under	\$7,450,000
55	Category DDDD	\$7,450,000	to under	\$7,550,000
56	Category EEEE	\$7,550,000	to under	\$7,650,000

1	Category FFFF	\$7,650,000 to under \$7,750,000
2	Category GGGG	\$7,750,000 to under \$7,850,000
3	Category HHHH	\$7,850,000 to under \$7,950,000
4	Category IIII	\$7,950,000 to under \$8,050,000
5	Category JJJJ	\$8,050,000 to under \$8,150,000
6	Category KKKK	\$8,150,000 to under \$8,250,000
7	Category LLLL	\$8,250,000 to under \$8,350,000
8	Category MMMM	\$8,350,000 to under \$8,450,000
9	Category NNNN	\$8,450,000 to under \$8,550,000
10	Category OOOO	\$8,550,000 to under \$8,650,000
11	Category PPPP	\$8,650,000 to under \$8,750,000
12	Category QQQQ	\$8,750,000 to under \$8,850,000
13	Category RRRR	\$8,850,000 to under \$8,950,000
14	Category SSSS	\$8,950,000 to under \$9,050,000
15	Category TTTT	\$9,050,000 to under \$9,150,000
16	Category UUUU	\$9,150,000 to under \$9,250,000
17	Category VVVV	\$9,250,000 to under \$9,350,000
18	Category WWWW	\$9,350,000 to under \$9,450,000
19	Category XXXX	\$9,450,000 to under \$9,550,000
20	Category YYYY	\$9,550,000 to under \$9,650,000
21	Category ZZZZ	\$9,650,000 to under \$9,750,000
22	Category AAAAA	\$9,750,000 to under \$9,850,000
23	Category BBBBB	\$9,850,000 to under \$9,950,000
24	Category CCCCC	\$9,950,000 to under \$10,000,000
25	Category DDDDD	\$10,000,000 or over

26 § 2. Paragraph 8 of subdivision 3 of section 73-a of the public offi-  
 27 cers law, as amended by section 18 of part QQ of chapter 56 of the laws  
 28 of 2022, subparagraphs (b), (b-2) and (c) as separately amended by  
 29 section 8 of part QQ of chapter 56 of the laws of 2022, is amended to  
 30 read as follows:

31 8. (a) If the reporting individual practices law, is licensed by the  
 32 department of state as a real estate broker or agent or practices a  
 33 profession licensed by the department of education, or works as a member  
 34 or employee of a firm required to register pursuant to section one-e of  
 35 the legislative law as a lobbyist, describe the services rendered for  
 36 which compensation was paid including a general description of the prin-  
 37 cipal subject areas of matters undertaken by such individual and princi-  
 38 pal duties performed. Specifically state whether the reporting individ-  
 39 ual provides services directly to clients. Additionally, if such an  
 40 individual practices with a firm or corporation and is a partner or  
 41 shareholder of the firm or corporation, give a general description of  
 42 principal subject areas of matters undertaken by such firm or corpo-  
 43 ration.

44 \_\_\_\_\_  
 45 \_\_\_\_\_  
 46 \_\_\_\_\_  
 47 \_\_\_\_\_  
 48 \_\_\_\_\_

49 (b) ~~[(b) [APPLICABLE ONLY TO NEW CLIENTS OR CUSTOMERS FOR WHOM SERVICES ARE~~  
 50 ~~PROVIDED ON OR AFTER JULY FIRST, TWO THOUSAND TWELVE AND BEFORE DECEMBER~~  
 51 ~~THIRTY FIRST, TWO THOUSAND FIFTEEN, OR FOR NEW MATTERS FOR EXISTING~~  
 52 ~~CLIENTS OR CUSTOMERS WITH RESPECT TO THOSE SERVICES THAT ARE PROVIDED ON~~  
 53 ~~OR AFTER JULY FIRST, TWO THOUSAND TWELVE AND BEFORE DECEMBER~~  
 54 ~~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 insurance brokering services from the reporting individual or his or her firm. The reporting individual need not identify any client to whom he or she or his or her firm provided legal representation with respect to investigation or prosecution by law enforcement authorities, bankruptcy, or domestic relations matters. With respect to clients represented in other matters, where disclosure of a client's identity is likely to cause harm, the reporting individual shall request an exemption from the commission on ethics and lobbying in government pursuant to section ninety-four of the executive law, provided, however, that a reporting individual who first enters public office after July first, two thousand twelve, need not report clients or customers with respect to matters for which the reporting individual or his or her firm was retained prior to entering public office.~~

~~Client \_\_\_\_\_ Nature of Services Provided~~

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_~~

~~(b-1) 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)+]~~

If the reporting individual receives income from employment reportable in question 8(a) and 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"), the reporting individual shall 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 in direct connection with:

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

(ii) A grant of \$10,000 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 such services rendered by the reporting individual directly to each such client, describe each matter that was the subject of such representation, the services actually provided and the payment received. For payments received from clients referred to the firm by the reporting individual, if the reporting individual directly received a referral fee or fees for such referral, identify the client and the payment so received. For the purposes of this question, "services" shall mean consultation, representation, advice or other services.

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 having knowingly solicited or directed 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 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).]~~

(b-1) For the 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);
- \* COURT APPOINTED GUARDIAN OR EVALUATOR (IDENTIFY COURT NOT CLIENT).

(ii) With respect to reporting individuals who disclosed in question 8(a) that the reporting individual did not provide services to a client but provided services to a firm or business, identify the category of amount received for providing such services and describe the services rendered.

Services Actually Provided	Category of Amount (Table I)
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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.

The disclosure requirement in questions (b) and (b-1) [~~and (b-2)~~] shall not require disclosing clients or customers receiving medical, pharmaceutical or dental services, mental health services, or residential real estate brokering services from the reporting individual or his or her firm or if federal law prohibits or limits disclosure. The reporting individual need not identify any client to whom he or she or his or her firm provided legal representation with respect to investigation or prosecution by law enforcement authorities, bankruptcy, family court, estate planning, or domestic relations matters, nor shall the reporting individual identify individuals represented pursuant to an insurance

1 policy but the reporting individual shall in such circumstances only  
2 report the entity that provides compensation to the reporting individ-  
3 ual; with respect to matters in which the client's name is required by  
4 law to be kept confidential (such as matters governed by the family  
5 court act) or in matters in which the reporting individual represents or  
6 provides services to minors, the client's name may be replaced with  
7 initials. To the extent that the reporting individual, or his or her  
8 firm, provided legal representation with respect to an initial public  
9 offering, and professional disciplinary rules, federal law or regu-  
10 lations restrict the disclosure of information relating to such work,  
11 the reporting individual shall (i) disclose the identity of the client  
12 and the services provided relating to the initial public offering to the  
13 office of court administration, who will maintain such information  
14 confidentially in a locked box; and (ii) include in his or her response  
15 to questions (b) and (b-1) [~~and (b-2)~~] that pursuant to this paragraph,  
16 a disclosure to the office of court administration has been made. Upon  
17 such time that the disclosure of information maintained in the locked  
18 box is no longer restricted by professional disciplinary rules, federal  
19 law or regulation, the reporting individual shall disclose such informa-  
20 tion in an amended disclosure statement in response to the disclosure  
21 requirements in questions (b) and (b-1) [~~and (b-2)~~]. The office of court  
22 administration shall develop and maintain a secure portal through which  
23 information submitted to it pursuant to this paragraph can be safely and  
24 confidentially stored. With respect to clients represented in other  
25 matters not otherwise exempt, the reporting individual may request an  
26 exemption to publicly disclosing the name of that client from the  
27 commission on ethics and [~~lobbying~~] lobbying in government pursuant to  
28 section ninety-four of the executive law, or from the office of court  
29 administration. In such application, the reporting individual shall  
30 state the following: "My client is not currently receiving my services  
31 or seeking my services in connection with:

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

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

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

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

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

42 In reviewing the request for an exemption, the commission on ethics  
43 and lobbying in government or the office of court administration may  
44 consult with bar or other professional associations and the legislative  
45 ethics commission for individuals subject to its jurisdiction and may  
46 consider the rules of professional conduct. In making its determination,  
47 the commission on ethics and lobbying in government or the office of  
48 court administration shall conduct its own inquiry and shall consider  
49 factors including, but not limited to: (i) the nature and the size of  
50 the client; (ii) whether the client has any business before the state;  
51 and if so, how significant the business is; and whether the client has  
52 any particularized interest in pending legislation and if so how signif-  
53 icant the interest is; (iii) whether disclosure may reveal trade  
54 secrets; (iv) whether disclosure could reasonably result in retaliation  
55 against the client; (v) whether disclosure may cause undue harm to the  
56 client; (vi) whether disclosure may result in undue harm to the attor-



1 ney-client relationship; and (vii) whether disclosure may result in an  
2 unnecessary invasion of privacy to the client.

3 The commission on ethics and lobbying in government or, as the case  
4 may be, the office of court administration shall promptly make a final  
5 determination in response to such request, which shall include an expla-  
6 nation for its determination. The office of court administration shall  
7 issue its final determination within three days of receiving the  
8 request. Notwithstanding any other provision of law or any professional  
9 disciplinary rule to the contrary, the disclosure of the identity of any  
10 client or customer in response to this question shall not constitute  
11 professional misconduct or a ground for disciplinary action of any kind,  
12 or form the basis for any civil or criminal cause of action or proceed-  
13 ing. A reporting individual who first enters public office after January  
14 first, two thousand sixteen, need not report clients or customers with  
15 respect to matters for which the reporting individual or his or her firm  
16 was retained prior to entering public office.

17 (c) [~~APPLICABLE ONLY TO NEW CLIENTS OR CUSTOMERS FOR WHOM SERVICES ARE~~  
18 ~~PROVIDED ON OR AFTER DECEMBER THIRTY-FIRST, TWO THOUSAND FIFTEEN, OR FOR~~  
19 ~~NEW MATTERS FOR EXISTING CLIENTS OR CUSTOMERS WITH RESPECT TO THOSE~~  
20 ~~SERVICES THAT ARE PROVIDED ON OR AFTER DECEMBER THIRTY-FIRST, TWO THOU-~~  
21 ~~SAND FIFTEEN.~~]

22 If the reporting individual receives income of ten thousand dollars or  
23 greater from any employment or activity reportable under question 8(a),  
24 identify each registered lobbyist who has directly referred to such  
25 individual a client who was successfully referred to the reporting indi-  
26 vidual's business and from whom the reporting individual or firm  
27 received a fee for services in excess of five thousand dollars. Report  
28 only those referrals that were made to a reporting individual by direct  
29 communication from a person known to such reporting individual to be a  
30 registered lobbyist at the time the referral is made. With respect to  
31 each such referral, the reporting individual shall identify the client,  
32 the registered lobbyist who has made the referral, the category of value  
33 of the compensation received and a general description of the type of  
34 matter so referred. A reporting individual need not disclose activities  
35 performed while lawfully acting pursuant to paragraphs (c), (d), (e) and  
36 (f) of subdivision seven of section seventy-three of this article. The  
37 disclosure requirements in this question shall not require disclosing  
38 clients or customers receiving medical, pharmaceutical or dental  
39 services, mental health services, or residential real estate brokering  
40 services from the reporting individual or his or her firm or if federal  
41 law prohibits or limits disclosure. The reporting individual need not  
42 identify any client to whom he or she or his or her firm provided legal  
43 representation with respect to investigation or prosecution by law  
44 enforcement authorities, bankruptcy, family court, estate planning, or  
45 domestic relations matters, nor shall the reporting individual identify  
46 individuals represented pursuant to an insurance policy but the report-  
47 ing individual shall in such circumstances only report the entity that  
48 provides compensation to the reporting individual; with respect to  
49 matters in which the client's name is required by law to be kept confi-  
50 dential (such as matters governed by the family court act) or in matters  
51 in which the reporting individual represents or provides services to  
52 minors, the client's name may be replaced with initials. To the extent  
53 that the reporting individual, or his or her firm, provided legal repre-  
54 sentation with respect to an initial public offering, and federal law or  
55 regulations restricts the disclosure of information relating to such  
56 work, the reporting individual shall (i) disclose the identity of the



1 client and the services provided relating to the initial public offering  
2 to the office of court administration, who will maintain such informa-  
3 tion confidentially in a locked box; and (ii) include in his or her  
4 response a statement that pursuant to this paragraph, a disclosure to  
5 the office of court administration has been made. Upon such time that  
6 the disclosure of information maintained in the locked box is no longer  
7 restricted by federal law or regulation, the reporting individual shall  
8 disclose such information in an amended disclosure statement in response  
9 to the disclosure requirements of this paragraph. The office of court  
10 administration shall develop and maintain a secure portal through which  
11 information submitted to it pursuant to this paragraph can be safely and  
12 confidentially stored. With respect to clients represented in other  
13 matters not otherwise exempt, the reporting individual may request an  
14 exemption to publicly disclosing the name of that client from the  
15 commission on ethics and lobbying in government pursuant to section  
16 ninety-four of the executive law, or from the office of court adminis-  
17 tration. In such application, the reporting individual shall state the  
18 following: "My client is not currently receiving my services or seeking  
19 my services in connection with:

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

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

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

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

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

30 In reviewing the request for an exemption, the commission on ethics  
31 and lobbying in government or the office of court administration may  
32 consult with bar or other professional associations and the legislative  
33 ethics commission for individuals subject to its jurisdiction and may  
34 consider the rules of professional conduct. In making its determination,  
35 the commission on ethics and lobbying in government or the office of  
36 court administration shall conduct its own inquiry and shall consider  
37 factors including, but not limited to: (i) the nature and the size of  
38 the client; (ii) whether the client has any business before the state;  
39 and if so, how significant the business is; and whether the client has  
40 any particularized interest in pending legislation and if so how signif-  
41 icant the interest is; (iii) whether disclosure may reveal trade  
42 secrets; (iv) whether disclosure could reasonably result in retaliation  
43 against the client; (v) whether disclosure may cause undue harm to the  
44 client; (vi) whether disclosure may result in undue harm to the attor-  
45 ney-client relationship; and (vii) whether disclosure may result in an  
46 unnecessary invasion of privacy to the client.

47 The commission on ethics and lobbying in government or, as the case  
48 may be, the office of court administration shall promptly make a final  
49 determination in response to such request, which shall include an expla-  
50 nation for its determination. The office of court administration shall  
51 issue its final determination within three days of receiving the  
52 request. Notwithstanding any other provision of law or any professional  
53 disciplinary rule to the contrary, the disclosure of the identity of any  
54 client or customer in response to this question shall not constitute  
55 professional misconduct or a ground for disciplinary action of any kind,  
56 or form the basis for any civil or criminal cause of action or proceed-

ing. A reporting individual who first enters public office after December thirty-first, two thousand fifteen, need not report clients or customers with respect to matters for which the reporting individual or his or her firm was retained prior to entering public office.

Client	Name of Lobbyist	Description of Matter	Category of Amount (in Table [I] I)
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(d) List the name, principal address and general description or the nature of the business activity of any entity in which the reporting individual or such individual's spouse or domestic partner had an investment in excess of \$1,000 excluding investments in securities and interests in real property.

§ 3. This act shall take effect July 8, 2022; provided, however, that if part QQ of chapter 56 of the laws of 2022 shall not have taken effect on or before such date then section two of this act shall take effect on the same date and in the same manner as such part of such chapter of the laws of 2022 takes effect.