

# STATE OF NEW YORK

8420

## IN SENATE

February 28, 2022

Introduced by Sen. BIAGGI -- read twice and ordered printed, and when printed to be committed to the Committee on Ethics and Internal Governance

AN ACT to amend the public officers law, in relation to expanding the ethical duties of public officers and employees

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

1 Section 1. Section 74 of the public officers law is amended by adding  
2 a new subdivision 3-a to read as follows:

3 3-a. Other ethical duties. It shall be the ethical duty of any person  
4 or entity subject to the provisions of this section to promptly report  
5 to the commission information not protected by attorney-client or prose-  
6 cutorial investigative privilege about activity known to be in violation  
7 of this section or any other law which any person or entity has engaged  
8 in with respect to activity that is within the jurisdiction of the joint  
9 commission on public ethics established pursuant to section ninety-four  
10 of the executive law. Knowledge of discriminatory harassment need not be  
11 reported by the subject of such harassment or by another if confided in  
12 confidence on the basis of personal friendship. There shall be no  
13 retaliation against a person or entity making such a report in good  
14 faith on information and belief, and any person aggrieved by such retal-  
15 iation may bring a civil action for compensatory and exemplary damages.

16 § 2. This act shall take effect on the thirtieth day after it shall  
17 have become a law.

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

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