

STATE OF NEW YORK

940

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sens. KRUEGER, ADDABBO, HOYLMAN, LIU, SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Ethics and Internal Governance

AN ACT to amend the legislative law and the election law, in relation to disclosures required for lobbyists; and to amend the election law and the public officers law, in relation to campaign funds for personal use

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

1 Section 1. This act shall be known and may be cited as the "Lobbyist
2 Disclosure Campaign Fund Act".

3 § 2. Section 1-c of the legislative law is amended by adding a new
4 subdivision (x) to read as follows:

5 (x) The term "family member" shall mean any of the following, includ-
6 ing parents, stepparents, spouse, domestic partners, grandparents,
7 brothers, sisters, uncles, and aunts, whether of the whole blood or half
8 blood or by or through legal sanction.

9 § 3. Paragraph 5 of subdivision (b) of section 1-h of the legislative
10 law is amended by adding two new subparagraphs (vi) and (vii) to read as
11 follows:

12 (vi) the campaign contributions made, in any form, to any campaign or
13 political committee in New York state by the client by whom or on whose
14 behalf the lobbyist is retained, employed or designated, by the lobby-
15 ist, and by any employees of the lobbyist.

16 (vii) the amount of compensation paid and the names of any family
17 members of a public official to whom a lobbyist and the client by whom
18 or on whose behalf the lobbyist is retained, employed or designated has
19 paid compensation of more than five hundred dollars in the preceding
20 calendar year for personal employment or professional services.

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

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1 § 4. Subdivision (b) of section 1-h of the legislative law is amended
2 by adding a new paragraph 6 to read as follows:

3 (6) the name, address and telephone number of any public official with
4 whom the lobbyist has any business relationship.

5 § 5. Paragraph 5 of subdivision (b) of section 1-j of the legislative
6 law is amended by adding two new subparagraphs (vi) and (vii) to read as
7 follows:

8 (vi) the campaign contributions made, in any form, to any campaign or
9 political committee in New York state by the client by whom or on whose
10 behalf the lobbyist is retained, employed or designated, by the lobby-
11 ist, and by any employees of the lobbyist.

12 (vii) the amount of compensation paid and the names of any family
13 members of a public official to whom a lobbyist and the client by whom
14 or on whose behalf the lobbyist is retained, employed or designated has
15 paid compensation of more than five hundred dollars in the preceding
16 calendar year for personal employment or professional services.

17 § 6. Subdivision (b) of section 1-j of the legislative law is amended
18 by adding a new paragraph 7 to read as follows:

19 (7) the name, address and telephone number of any public official with
20 whom the lobbyist has any business relationship.

21 § 7. The election law is amended by adding two new sections 14-134 and
22 14-136 to read as follows:

23 § 14-134. Government contractor reporting and contribution limits. 1.
24 Definitions. The following definitions shall apply to this section:

25 a. "agent" means any person acting at the direction of or on behalf of
26 an individual or business entity;

27 b. "business entity" means a business corporation, professional
28 services corporation, limited liability company, partnership, limited
29 partnership, business trust, association or any other legal commercial
30 entity organized under the laws of this state or any other state or
31 foreign jurisdiction, including any subsidiary directly or indirectly
32 controlled by the business entity, and any political organization,
33 including but not limited to any political organization organized under
34 section 527 of the Internal Revenue Code, that is directly or indirectly
35 controlled by the business entity;

36 c. "immediate family" means any spouse or child of an individual or
37 any financially dependent relatives who reside in the individual's
38 household;

39 d. "housekeeping account" means an account maintained by a party
40 committee or constituted committee from which expenditures are made to
41 maintain a permanent headquarters and staff and carry on ordinary party
42 activities which are not for the express purpose of promoting the candi-
43 dacy of specific candidates;

44 e. "candidate for state office" means a candidate for the following
45 state offices: governor, lieutenant governor, attorney general, comp-
46 troller, senator, and member of the assembly; and

47 f. "personal business transaction" means transactions for services
48 offered by the elected official in his or her capacity as a private
49 citizen to any member of the public.

50 2. The following persons and business entities who make a contribution
51 to a candidate for state office, a political committee working directly
52 or indirectly to aid or participate in such candidate's nomination or
53 election, a political committee established or controlled by such candi-
54 date, or a state or local committee of a political party, including a
55 housekeeping account, shall file reports as required by subdivision
56 three of this section with the board of elections within seven calendar

1 days after the date of a contribution made within thirty-six days of an
2 election, or, for contributions made at any other time, within thirty-
3 six days of the date of the contribution or the date of any applicable
4 contract, whichever occurs later:

5 a. any person, organization, group of persons, or business entity that
6 has received, in a calendar year fifty thousand dollars or more through
7 contracts from the state or any state-appointed entity with contracting
8 power;

9 b. any person who owns more than ten percent of a business entity that
10 is described in paragraph a of this subdivision;

11 c. any person employed by an organization, group, or business entity
12 described in paragraph a of this subdivision who holds a senior manage-
13 ment position as defined by the state ethics commission;

14 d. the immediate family member of a person who is described in para-
15 graph a, b or c of this subdivision; or

16 e. any political committee established or controlled by a person,
17 organization, group of persons or business entity described in paragraph
18 a, b, c and d of this subdivision.

19 3. The board of elections shall prescribe forms and procedures for the
20 reporting required in subdivision two of this section which, at a mini-
21 mum, shall require the electronic filing of the following information:

22 a. the name, address, employer and the name of spouse of the person
23 making the contribution and the name of the spouse's employer;

24 b. the name of the candidate, political committee, or state or local
25 committee of a political party, including a housekeeping account,
26 receiving the contribution;

27 c. the amount of the contract with the state or other entity defined
28 in paragraph a of subdivision two of this section, and the dates and
29 other information identifying each contract for services or goods; and

30 d. if an organization, group of persons, or business entity is making
31 the contribution:

32 (i) the names and business addresses of all persons who own more than
33 ten percent of the organization, group or entity; or

34 (ii) the names and business addresses of all persons employed by the
35 organization, group, or business entity who hold a senior management
36 position as defined by the commission on governmental ethics.

37 4. The board of elections shall maintain completed forms and reports
38 described in subdivision two of this section for public inspection both
39 at the board of elections office and through the board of elections
40 electronic filing system for campaign finance disclosure (EFS).

41 5. From twelve months after a bid or proposal to the relevant agency
42 or contracting authority for a contract described in subdivision two of
43 this section and either twelve months after completion of the applicable
44 contract, or upon completion of the applicable elected official's term
45 in office, whichever is longer, it shall be unlawful for any person,
46 organization, group of persons or business entity described in para-
47 graphs a, b, c and d or e of subdivision two of this section to:

48 a. make contributions to a candidate for state office, any political
49 committee working directly or indirectly to aid or participate in such
50 candidate's nomination or election, or any other political committee
51 established or controlled by such candidate that exceed the following
52 amounts per election for the following offices:

53 (i) governor: five hundred dollars;

54 (ii) lieutenant governor: five hundred dollars;

55 (iii) comptroller: five hundred dollars;

56 (iv) attorney general: five hundred dollars;

1 (v) senator: three hundred fifty dollars; or

2 (vi) member of assembly: two hundred fifty dollars;

3 b. make contributions to:

4 (i) political committees working directly or indirectly to aid or
5 participate in the nomination or election of a candidate for the offices
6 described in subparagraphs (i), (ii), (iii), (iv), (v) and (vi) of para-
7 graph a of this subdivision, or other political committees established
8 or controlled by a candidate for the offices described in subparagraphs
9 (i), (ii), (iii), (iv), (v) and (vi) of paragraph a of this subdivision
10 that in the aggregate exceed four thousand dollars per election; or

11 (ii) state or local committees of a political party, or any house-
12 keeping account, in an amount greater than one thousand dollars per
13 election, and in an aggregate to all state or local committees of poli-
14 tical parties in an aggregate that exceeds two thousand dollars per
15 election;

16 c. solicit a contribution on behalf of, or transmit a contribution on
17 behalf of another to:

18 (i) a candidate for any of the offices for which contributions are
19 limited under paragraph a of this subdivision;

20 (ii) any political committee working directly or indirectly to aid or
21 participate in the nomination or election of a candidate for office for
22 which their contributions are limited in paragraph a of this subdivi-
23 sion, or any other political committee established or controlled by a
24 candidate for the offices for which their contributions are limited
25 under paragraph a of this subdivision;

26 (iii) a state or local committee of a political party including a
27 housekeeping account;

28 d. participate in any fund-raising activities for:

29 (i) a candidate for any of the offices for which contributions are
30 limited under paragraph a of this subdivision;

31 (ii) any political committee working directly or indirectly to aid or
32 participate in the nomination or election of a candidate for office for
33 which their contributions are limited in paragraph a of this subdivi-
34 sion, or any other political committee established or controlled by a
35 candidate for the offices for which their contributions are limited
36 under paragraph a of this subdivision;

37 (iii) a state or local committee of a political party, including a
38 housekeeping account;

39 e. serve as chairperson, treasurer, or any other officer of:

40 (i) any political committee working directly or indirectly to aid or
41 participate in the nomination or election of a candidate for office for
42 which their contributions are limited under paragraph a of this subdivi-
43 sion; or

44 (ii) any other political committee established or controlled by a
45 candidate for which their contributions are limited under paragraph a of
46 this subdivision;

47 f. conduct personal business transactions in an amount over two thou-
48 sand dollars in any calendar year with a public official holding the
49 offices for which their contributions are limited under paragraph a of
50 this subdivision;

51 g. deliver to any conduit or intermediary any contribution earmarked
52 for a particular candidate for the offices for which their contributions
53 are limited under paragraph a of this subdivision, or any committee
54 working directly or indirectly to aid or participate in such candidate's
55 nomination or election, or any other political committee established or
56 controlled by such candidate; or

1 h. knowingly take any step to circumvent the restrictions in this
2 subdivision.

3 i. the provisions of this section shall not apply for a contractor
4 making a contribution, or any disclosure thereof required by this arti-
5 cle, in any calendar year in which such contractor receives funds
6 disbursed by the state or any instrumentality thereof pursuant to a
7 federal statute, rule or regulation that would render the state or such
8 instrumentality or contractor ineligible to receive such funds by virtue
9 of the operation of this section.

10 This subdivision shall not be applicable to contributions made by any
11 person, organization, group of persons or business entity at a time when
12 the person, organization, group of persons or business entity did not
13 meet the descriptions of paragraphs a, b, c, d and e of subdivision two
14 of this section.

15 6. The state or any state department, public entity or authority with
16 contract-making power shall not enter into an agreement or otherwise
17 contract to procure services or any material, supplies or equipment, or
18 to acquire, sell, or lease any land or building from any person, organ-
19 ization, group of persons or business entity described in paragraphs a,
20 b, c and d of subdivision two of this section who has made a contrib-
21 ution prohibited in subdivision five of this section. This subdivision
22 shall not be applicable to contributions made by any person, organiza-
23 tion, group of persons or business entity at a time when the person,
24 organization, group of persons or business entity did not meet the
25 descriptions of paragraph a, b, c, d or e of subdivision two of this
26 section. Nothing in this section shall impair the power of the state or
27 any instrumentality thereof to enter into a contract with any contractor
28 where federal funds would support the payment or performance of such
29 contract and a federal statute, rule or regulation would render the
30 state or such instrumentality or contractor ineligible to receive such
31 funds by virtue of the operation of this section.

32 7. Every contract and bid application and specifications promulgated
33 by the state or any state department, public entity or authority with
34 contract-making power shall contain a provision describing the require-
35 ments of section 14-116 of this article.

36 8. Before entering into any agreement or any other contract to procure
37 from any person, organization, group of persons or business entity
38 services or any material, supplies or equipment, or to acquire, sell, or
39 lease any land or building, the state or any state department, public
40 entity or authority with contract-making power shall receive a sworn
41 statement from the contractor, made under penalty of perjury, that the
42 bidder or offerer has not made a contribution in violation of this
43 section.

44 9. No candidate for state office shall accept campaign contributions
45 from a person, organization, group of persons or business entity
46 described in paragraph a, b, c, d or e of subdivision two of this
47 section in an amount exceeding those permitted in paragraph a of subdivi-
48 vision five of this section for twelve months after completion of the
49 applicable contract, or the remainder of the candidate's term in office,
50 whichever is longer. This subdivision shall not be applicable to
51 contributions made by any person, organization, group of persons or
52 business entity at a time when the person, organization, group of
53 persons or business entity did not meet the descriptions of paragraph a,
54 b, c, d or e of subdivision two of this section.

55 10. No public official holding any of the offices listed in paragraph
56 a of subdivision five of this section shall conduct personal business

1 transactions in an amount over two thousand dollars in any calendar year
2 with any person, organization, group of persons or business entity
3 described in paragraphs a, b, c and d of subdivision two of this
4 section.

5 11. This section shall not prohibit any person from informing any
6 other person of a position taken by a public official or a candidate for
7 public office.

8 12. The provisions of subdivisions two and five of this section shall
9 not apply to the campaign of any person described in paragraph a, b, c
10 or d of subdivision two of this section who is a candidate for any of
11 those offices listed in paragraph a of subdivision five of this section.

12 § 14-136. Commissioning authorities and licensing authorities. The
13 following persons shall not be appointed to a state public board or
14 commission which has the authority to award or audit any public
15 contract:

16 1. a lobbyist registered under section one-e of the legislative law;

17 2. any person or business entity who, in the previous two years, has
18 received fifty thousand dollars or more through one or more contracts
19 from the state or any state-appointed entity with contracting power;

20 3. any person who owns more than ten percent of a business entity that
21 is described in subdivision two of this section;

22 4. any person employed by an organization, group, or business entity
23 described in subdivision two of this section who holds a senior manage-
24 ment position as defined by the commission on governmental ethics; or

25 5. an immediate family member of a person described in subdivision
26 one, two, three, or four of this section.

27 § 8. Section 14-130 of the election law, as amended by section 9 of
28 part CC of chapter 56 of the laws of 2015, paragraphs (ix) and (x) of
29 subdivision 3 as amended and paragraph (xi) of subdivision 3 as added by
30 chapter 136 of the laws of 2019, is amended to read as follows:

31 § 14-130. Campaign funds for personal use. 1. Contributions received
32 by a candidate or a political committee may only be expended for [~~any~~
33 ~~lawful purpose. Such funds shall not be converted by any person to a~~
34 ~~personal use which is unrelated to a political campaign or the holding~~
35 ~~of a public office or party position] bona fide purposes directly
36 related to either:~~

37 a. promoting the nomination or election of a candidate; or

38 b. performing those duties of public office or party position which
39 are not paid for or eligible for reimbursement by the state or any poli-
40 tical subdivision or private party.

41 2. Permissible ordinary and necessary expenses relating to the holding
42 of public office or party position shall include:

43 a. production and circulation of flyers or other written materials
44 related to duties of officeholder; the placement of holiday greetings
45 and congratulatory ads and memorial notices in local newspapers, maga-
46 zines, journals or other publication;

47 b. sponsorship or hosting of community meetings; tickets or donations
48 to local charitable, non-profit or political events, organizations or
49 activities that promote the welfare of constituents or political
50 campaigns;

51 c. incidental expenditures for the operation of legislative offices,
52 including purchase of items such as memorial or get-well gifts, flowers
53 or similar items of nominal value for constituents or others;

54 d. membership in organizations related to official duties and costs of
55 attending informational meetings attended in connection with such
56 duties; and

1 e. travel related to duties of office, provided that the travel is not
2 undertaken for any purpose resulting in a personal or financial benefit
3 to the candidate or officeholder. If such expenses involve both personal
4 activity and campaign or official activities, the incremental expenses
5 associated with the personal activities are personal uses unless the
6 campaign is reimbursed for such sums from other than campaign funds
7 within thirty days of the expenditure.

8 Nothing in this section shall prohibit a candidate from purchasing
9 office equipment with personal funds and leasing or renting such equip-
10 ment or property to a committee working with or for the candidate,
11 provided the candidate or the campaign treasurer sign a written lease or
12 rental agreement and files it with the appropriate required campaign
13 financial filing which shall include the lease or rental price which
14 shall not exceed the fair lease or rental value of the equipment or in
15 the aggregate exceed the cost of its purchase.

16 3. Campaign funds shall not be converted to personal use, which shall
17 be defined as expenditures that:

18 a. are for the personal benefit of or to defray normal living expenses
19 of the candidate, officeholder, immediate family or partner of either or
20 any other person;

21 b. are used to fulfill any commitment, obligation, or expense that
22 would exist irrespective of the candidate's campaign or duties as an
23 officeholder; or

24 c. are put to any use for which the candidate or officeholder would be
25 required to treat the amount of the expenditure as gross income under
26 section 61 of the Internal Revenue Code.

27 4. Expenditures for personal use shall also include, but are not
28 limited to, expenditures for:

29 a. residential or household items, supplies, maintenance or other
30 expenditures, including mortgage, rent, utilities, repairs, or improve-
31 ments for any part of any personal residence of a candidate or office-
32 holder, his or her immediate family or partner;

33 b. rent or utility payments that exceed fair market value for use of
34 any part of any non-residential property owned by a candidate, or a
35 member of a candidate's family or partner used for campaign purposes;

36 c. salary and other fees for bona fide services to a campaign or
37 legislative office that exceed fair and reasonable market value of such
38 services;

39 d. interest or any other finance charges for monies loaned to the
40 campaign by the candidate or the spouse or partner of such candidate;

41 e. tuition payments;

42 f. dues, fees, or gratuities at private clubs, recreational facilities
43 or other nonpolitical organizations, unless connected to a specific
44 widely attended fundraising event that takes place on the organization's
45 premises;

46 g. automobile purchases or long term leases; short term car rentals
47 and cellular equipment and services not used exclusively for campaign
48 purposes or duties as an officeholder;

49 h. admission to sporting events, concerts, theaters, or other forms of
50 entertainment, unless part of a specific campaign or officeholder
51 related activity; and

52 i. payment of any fines, fees, or penalties assessed pursuant to this
53 chapter.

54 5. No campaign funds shall be used to pay attorney's fees or any costs
55 of defending against any civil or criminal investigation or prosecution
56 for alleged violations of state or federal law alleged to have been

1 committed while holding public office or as a candidate for office where
2 the candidate or public or party official, members of their immediate
3 families or partners or the campaign is the target of such investigation
4 or prosecution unless such expenditure is used exclusively for costs
5 related to civil or criminal actions for alleged violations related to
6 activities promoting the nomination or election of a candidate.

7 [~~2-~~] 6. No contribution shall be used to pay interest or any other
8 finance charges upon monies loaned to the campaign by such candidate or
9 the spouse of such candidate.

10 [~~3-~~] 7. For the purposes of this section, contributions "converted by
11 any person to a personal use" are expenditures that are exclusively for
12 the personal benefit of the candidate or any other individual, not in
13 connection with a political campaign or the holding of a public office
14 or party position. "Converted by any person to a personal use", when
15 meeting the definition in this subdivision, shall include, but not be
16 limited to, expenses for the following:

17 (i) any residential or household items, supplies or expenditures,
18 including mortgage, rent or utility payments for any part of any
19 personal residence of a candidate or officeholder or a member of the
20 candidate's or officeholder's family that are not incurred as a result
21 of, or to facilitate, the individual's campaign, or the execution of his
22 or her duties of public office or party position. In the event that any
23 property or building is used for both personal and campaign use or as
24 part of the execution of his or her duties of public office or party
25 position, personal use shall constitute expenses that exceed the pro-
26 rated amount for such expenses based on fair-market value.

27 (ii) mortgage, rent, or utility payments to a candidate or officehold-
28 er for any part of any non-residential property that is owned by a
29 candidate or officeholder or a member of a candidate's or officeholder's
30 family and used for campaign purposes, to the extent the payments exceed
31 the fair market value of the property's usage for campaign activities;

32 (iii) clothing, other than items that are used in the campaign or in
33 the execution of the duties of public office or party position;

34 (iv) tuition payments unrelated to a political campaign or the holding
35 of a public office or party position;

36 (v) salary payments or other compensation provided to any person for
37 services where such services are not solely for campaign purposes or
38 provided in connection with the execution of the duties of public office
39 or party position;

40 (vi) salary payments or other compensation provided to a member of a
41 candidate's family, unless the family member is providing bona fide
42 services to the campaign. If a family member provides bona fide services
43 to a campaign, any salary payments or other compensation in excess of
44 the fair market value of the services provided shall be considered
45 payments for personal use;

46 (vii) admission to a sporting event, concert, theater, or other form
47 of entertainment, unless such event is part of, or in connection with, a
48 campaign or is related to the holding of public office or party posi-
49 tion;

50 (viii) payment of any fines or penalties assessed against the candi-
51 date pursuant to this chapter or in connection with a criminal
52 conviction or by the joint commission for public ethics pursuant to
53 section ninety-four of the executive law or sections seventy-three or
54 seventy-three-a of the public officers law or the legislative ethics
55 commission pursuant to section eighty of the legislative law;

1 (ix) dues, fees, or gratuities at a country club, health club, recre-
2 ational facility or other entities with a similar purpose, unless they
3 are expenses connected with a specific fundraising event or activity
4 associated with a political campaign or the holding of public office or
5 party position that takes place on the organization's premises;

6 (x) travel expenses including automobile purchases or leases, unless
7 used for campaign purposes or in connection with the execution of the
8 duties of public office or party position and usage of such vehicle
9 which is incidental to such purposes or the execution of such duties;
10 and

11 (xi) childcare expenses, other than expenses incurred in the campaign
12 or in the execution of the duties of public office or party position.

13 ~~[4-]~~ **8.** Nothing in this section shall prohibit a candidate from
14 purchasing equipment or property from his or her personal funds and
15 leasing or renting such equipment or property to a committee working
16 directly or indirectly with him to aid or participate in his or her
17 nomination or election, including an exploratory committee, provided
18 that the candidate and his or her campaign treasurer sign a written
19 lease or rental agreement. Such agreement shall include the lease or
20 rental price, which shall not exceed the fair lease or rental value of
21 the equipment. The candidate shall not receive lease or rental payments
22 which, in the aggregate, exceed the cost of purchasing the equipment or
23 property.

24 ~~[5-]~~ **9.** Nothing in this section shall prohibit an elected public
25 officeholder from using campaign contributions to facilitate, support,
26 or otherwise assist in the execution or performance of the duties of his
27 or her public office.

28 ~~[6-]~~ **10.** The state board of elections shall issue advisory opinions
29 upon request regarding expenditures that may or may not be considered
30 personal use of contributions. Any formal or informal advisory opinions
31 issued by a majority vote of the commissioners of the state board of
32 elections shall be binding on the board, the chief enforcement counsel
33 established by subdivision three-a of section 3-100 of this chapter, and
34 in any subsequent civil or criminal action or proceeding or administra-
35 tive proceeding.

36 § 9. The election law is amended by adding a new section 14-138 to
37 read as follows:

38 § 14-138. Disposition of campaign funds. 1. An authorized continuing
39 candidate committee must dispose of all funds and close within four
40 years after the later of (a) the end of the individual's most recent
41 term of office, or (b) the date of the election in which the individual
42 last was a filed candidate.

43 2. Any candidate or political committee required to dispose of funds
44 pursuant to this section shall, at the option of the candidate, or the
45 treasurer of a political committee formed solely to promote the passage
46 or defeat of a ballot proposal, dispose of such funds by any of the
47 following means, or any combination thereof:

48 a. returning, pro rata, to each contributor the funds that have not
49 been spent or obligated;

50 b. donating the funds to a charitable organization or organizations
51 that meet the qualifications of section 501(c)(3) of the Internal Reven-
52 ue Code;

53 c. donating the funds to the state university;

54 d. donating the funds to the state's general fund;

55 e. transferring the funds to a political party committee registered
56 with the state board of elections; or

1 f. contributing the funds to a candidate or political committee such
2 that this does not exceed the limits set forth in section 14-114 of this
3 article.

4 3. No candidate or political committee shall dispose of campaign funds
5 by making expenditures for personal use as defined in section 14-130 of
6 this article.

7 4. Upon the death of a candidate, former candidate or holder of elec-
8 tive office, who received campaign contributions, all contributions
9 shall be disposed of according to this section within twelve months of
10 the death of the candidate.

11 § 9-a. Sections 14-134, 14-136 and 14-138 of the election law as added
12 by sections seven and nine of this act are designated title I of article
13 14 of the election law.

14 § 10. Subdivision 1 of section 14-102 of the election law, as amended
15 by chapter 8 and redesignated by chapter 9 of the laws of 1978, is
16 amended to read as follows:

17 1. The treasurer of every political committee which, or any officer,
18 member or agent of any such committee who, in connection with any
19 election, receives or expends any money or other valuable thing or
20 incurs any liability to pay money or its equivalent shall file state-
21 ments sworn, or subscribed and bearing a form notice that false state-
22 ments made therein are punishable as a class A misdemeanor pursuant to
23 section 210.45 of the penal law, at the times prescribed by this article
24 setting forth all the receipts, contributions to and the expenditures by
25 and liabilities of the committee, and of its officers, members and
26 agents in its behalf. Such statements shall include the dollar amount of
27 any receipt, contribution or transfer, or the fair market value of any
28 receipt, contribution or transfer, which is other than of money, the
29 name and address of the transferor, contributor or person from whom
30 received, if the contributor is a lobbyist registered pursuant to arti-
31 cle one-A of the legislative law and if the transferor, contributor or
32 person is a political committee; the name of and the political unit
33 represented by the committee, the date of its receipt, the dollar amount
34 of every expenditure, the name and address of the person to whom it was
35 made or the name of and the political unit represented by the committee
36 to which it was made and the date thereof, and shall state clearly the
37 purpose of such expenditure. Any statement reporting a loan shall have
38 attached to it a copy of the evidence of indebtedness. Expenditures in
39 sums under fifty dollars need not be specifically accounted for by sepa-
40 rate items in said statements, and receipts and contributions aggregat-
41 ing not more than ninety-nine dollars, from any one contributor need not
42 be specifically accounted for by separate items in said statements,
43 provided however, that such expenditures, receipts and contributions
44 shall be subject to the other provisions of section 14-118 of this arti-
45 cle.

46 § 11. Subdivision 3 of section 74 of the public officers law is
47 amended by adding a new paragraph j to read as follows:

48 j. No officer or employee of a state agency required to file an annual
49 statement of financial disclosure pursuant to section seventy-three-a of
50 this article shall solicit or receive contributions for a campaign for
51 state or federal office.

52 § 12. This act shall take effect on the first of January next succeed-
53 ing the date on which it shall have become a law; provided that section
54 14-134 of the election law as added by section seven of this act shall
55 take effect two years after such effective date; and provided further
56 that sections eight, nine, ten and eleven of this act shall take effect

1 on the sixtieth day after it shall have become a law; provided, however,
2 that the state board of elections shall notify all registered campaign
3 committees of the applicable provisions of sections eight, nine, ten and
4 eleven of this act within thirty days after this act shall have become a
5 law; provided further, section 9-a of this act shall take effect on the
6 same date in the same manner as section 2 of part ZZZ of chapter 58 of
7 the laws of 2020, takes effect.