STATE OF NEW YORK

941

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sens. KRUEGER, THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to special restrictions on campaign contributions for district attorney candidates

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 14-114-a to read as follows:

§ 14-114-a. Special restrictions for district attorney candidates. 1. The state board of elections shall require that candidates for district attorney shall disclose to the board the acceptance of campaign contributions from any law firm that represents defendants in criminal proceedings in any court in the state of New York or from any licensed attorney employed by such law firm. The board shall promulgate such rules as it deems necessary to implement and administer this section and shall provide that information regarding such contributions shall be accessible to the public.

2. The term "legal dealings" means the legal representation of any individual or corporate entity in any criminal proceeding brought against that individual or corporate entity by any district attorney's office in the state of New York.

3. The term "legal dealings database" means a computerized database accessible to the board that contains the names of those who have legal dealings with any district attorney in the state, including any law firm, partnership or corporate entity that represents individuals or corporate entities in any criminal proceeding in any court in the state of New York; any licensed attorneys employed by or affiliated with such a law firm, partnership or corporate entity; any person serving as chief executive officer, chief financial officer, chief operating officer or persons serving in an equivalent capacity at such a law firm, partner-

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

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ship or corporate entity; any person serving as an equity partner at such a law firm, partnership or corporate entity; and any person with an ownership interest in such a law firm, partnership or corporate entity. Such database shall be developed, maintained and updated by the state board of elections in a manner so as to ensure its reasonable accuracy and completeness; provided, however, that in no event shall such database be updated less frequently than once a month. Such computerized database shall contain a function to enable members of the public to determine if a person is in the database due to such person having legal dealings with a district attorney and shall provide a date as to when such person is considered to have begun having legal dealings with a district attorney pursuant to subdivision two of this section.

4. A person shall be considered to have legal dealings with a district attorney as of the date the person's name is entered in the "legal dealings database", as such date is indicated in such database, or the date the person began having legal dealings with the district attorney, as such date is indicated in the database, whichever is earlier.

5. A candidate for district attorney or his or her principal committee may not accept, either directly or by transfer, any contribution or contributions for a covered election in which he or she is a participating candidate from a person or entity who has legal dealings with a district attorney's office, as such term is defined in subdivision two of this section, if the aggregate of such contributions to such candidate from such person for all covered elections in the same calendar year exceeds three hundred twenty dollars. Notwithstanding any provision of this subdivision, the limitations on contributions contained herein shall not apply to any contribution made by a natural person who has legal dealings with a district attorney to a participating candidate or his or her principal committee where such participating candidate is the contributor, or where such participating candidate is the contributor's parent, spouse, domestic partner, sibling, child, grandchild, aunt, uncle, cousin, niece or nephew by blood or by marriage.

6. Each district attorney candidate and his or her principal committee shall report to the board every contribution, loan, guarantee, or other security for such loan received by the candidate and such committee, the full name, residential address, occupation, employer and business address of each contributor, lender, guarantor or provider of security and of each person or entity which is the intermediary for such contribution, loan, guarantee, or other security for such loan. Disclosure reports shall be submitted at such times and in such form as the board shall require and shall be clearly legible.

§ 2. This act shall take effect immediately.