STATE OF NEW YORK

3335

2021-2022 Regular Sessions

IN ASSEMBLY

January 22, 2021

Introduced by M. of A. KIM -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law and the public officers law, in relation to certain activities by members of a board of a community college

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

Section 1. Section 6306 of the education law is amended by adding a new subdivision 11 to read as follows:

11. A community college shall be deemed a "state agency", and members of a board of trustees of a community college shall be deemed "state officers or employees" for the purposes of section seventy-three of the public officers law.

§ 2. Paragraph (g) of subdivision 1 of section 73 of the public officers law, as amended by chapter 283 of the laws of 1996, is amended to read as follows:

(g) The term "state agency" shall mean any state department, or division, board, commission, or bureau of any state department, any public benefit corporation, public authority or commission at least one of whose members is appointed by the governor, or the state university of New York or the city university of New York, including all their constituent units [~~except~~] **including** community colleges of the state university of New York and the independent institutions operating [~~statutory~~] **statutorily,** or contract colleges on behalf of the state.

§ 3. Paragraph (i) of subdivision 1 of section 73 of the public officers law, as amended by chapter 242 of the laws of 1989, is amended to read as follows:

(i) The term "state officer or employee" shall mean:

(i) heads of state departments and their deputies and assistants other than members of the board of regents of the university of the state of

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

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New York who receive no compensation or are compensated on a per diem basis;

(ii) officers and employees of statewide elected officials;

(iii) officers and employees of state departments, boards, bureaus, divisions, commissions, councils or other state agencies other than officers of such boards, commissions or councils who receive no compensation or are compensated on a per diem basis; [~~and~~]

(iv) members or directors of public authorities, other than multi-state authorities, public benefit corporations and commissions at least one of whose members is appointed by the governor, who receive compensation other than on a per diem basis, and employees of such authorities, corporations and commissions[~~.~~]**; and**

(v) members of a board of trustees of a community college regardless of whether they receive compensation.

§ 4. This act shall take effect immediately.