STATE OF NEW YORK

4794--A

2021-2022 Regular Sessions

IN ASSEMBLY

February 8, 2021

Introduced by M. of A. ABINANTI -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public officers law and the labor law, in relation to sexual harassment prevention training for certain officers and employees of the state; and to amend the executive law, in relation to expanding certain ethics training requirements for members of the legislature and legislative staff

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

Section 1. The public officers law is amended by adding a new section 74-b to read as follows:

§ 74-b. Sexual harassment prevention training. 1. Each individual subject to the financial disclosure requirements of section seventy-three-a of this article and to section two hundred one-g of the labor law shall complete an annual sexual harassment prevention training program pursuant to the provisions of section two hundred one-g of the labor law.

2. All individuals newly subject to the financial disclosure requirements of section seventy-three-a of this article and to section two hundred one-g of the labor law shall complete a sexual harassment prevention training program within three months of becoming subject to such requirements.

3. The provisions of this section shall be applicable to the legislature except to the extent that a sexual harassment prevention training program is otherwise established by the assembly or senate for their respective members and employees and such program meets or exceeds each of the requirements set forth in section two hundred one-g of the labor law.

§ 2. Subdivision 1 of section 201-g of the labor law is amended by adding a new paragraph c to read as follows:

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

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c. For purposes of this section and section seventy-four-b of the public officers law:

(i) "employee" includes all persons subject to the financial disclosure requirements of section seventy-three-a of the public officers law; and

(ii) "employer" includes:

(A) all state departments, boards, bureaus, divisions, commissions, councils or other state agencies;

(B) all public authorities, other than multi-state authorities, public benefit corporations and commissions at least one of whose members is appointed by the governor; and

(C) the state legislature.

§ 3. The opening paragraph of subdivision 10 of section 94 of the executive law, as amended by section 6 of part A of chapter 399 of the laws of 2011, is amended to read as follows:

The commission shall prepare materials and design and administer an ethics training program for individuals subject to the financial disclosure requirements of section seventy-three-a of the public officers law with respect to the provisions of sections seventy-three, seventy-three-a, and seventy-four of the public officers law**, and additionally for members of the legislature and legislative employees as defined in section seventy-three-a of the public officers law with respect to the provisions of sections seventy-three-b, seventy-five, seventy-six and seventy-seven-a of the public officers law,** and any other law, administrative regulation, or internal policy that is of relevance to the ethical conduct of such individuals in public service, as follows:

§ 4. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.