STATE OF NEW YORK

4936

2021-2022 Regular Sessions

IN ASSEMBLY

February 9, 2021

Introduced by M. of A. ABINANTI -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the public officers law, in relation to leveraging authority to obtain income or property

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

Section 1. Subdivision 3 of section 74 of the public officers law is amended by adding a new paragraph j to read as follows:

j. No officer or employee of a state agency, member of the legislature or legislative employee may leverage the authority of his or her official position to obtain income or property for himself, herself, or a third person if a substantial factor in the giving of the income or property is the person's official position. It shall not be unlawful for an officer or employee of a state agency, member of the legislature or legislative employee to obtain money or property from a person who contacts him or her in a private capacity and who the officer or employee of a state agency, member of the legislature or legislative employee believes in good faith has contacted him or her in the ordinary course of business and who provides such income or property in exchange for work or services actually performed by such officer or employee of a state agency, member of the legislature or legislative employee in his or her private capacity.

§ 2. This act shall take effect immediately.

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

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