STATE OF NEW YORK

9648--A

IN ASSEMBLY

March 28, 2022

Introduced by M. of A. KELLES, GONZALEZ-ROJAS, SEAWRIGHT, DAVILA, THIELE, SIMON -- 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 executive law, in relation to establishing the LGBTQ+ advisory board

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

Section 1. The executive law is amended by adding a new article 45-C to read as follows:

ARTICLE 45-C
LGBTQ+ ADVISORY BOARD

Section 959. Definitions.
959-a. LGBTQ+ advisory board established.
959-b. Powers and duties.

§ 959. Definitions. For the purposes of this article, the following terms shall have the following meanings:

1. "LGBTQ+ advisory board" or "board" shall mean the LGBTQ+ advisory board established pursuant to section nine hundred fifty-nine-a of this article.

2. "LGBTQ+" shall mean a member of the community consisting of lesbian, gay, bisexual, transgender, queer or questioning, and other non-cisgender individuals, or a reference to such community as a whole.

§ 959-a. LGBTQ+ advisory board established. 1. There is hereby established an advisory board to be known as the "LGBTQ+ advisory board".

2. The board shall be comprised of twelve members, to be appointed as follows: four members to be appointed by the governor, three members to be appointed by the temporary president of the senate, three members to be appointed by the speaker of the assembly, one member to be appointed by the minority leader of the senate, and one member to be appointed by the minority leader of the assembly.

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

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3. All members appointed to the board shall be individuals who identify as LGBTQ+. No individual shall be appointed as a board member who is a member of the New York state legislature, a statewide elected official, a commissioner of an executive agency appointed by the governor, or a state officer or employee or a legislative employee as defined in section seventy-three of the public officers law.

4. The initial appointment of board members pursuant to subdivision two of this section shall be staggered as follows: three members for a term of one year, three members for a term of two years, three members for a term of three years, and three members for a term of four years. After the initial staggering of terms, such board members shall be appointed for a term of four years. No such board member shall serve more than two consecutive four-year terms. The remainder of any such term to which a board member is appointed to fill a vacancy shall not constitute a term in determining such board member's eligibility for reappointment.

5. Vacancies in the membership of the commission shall be filled in the same manner provided for original appointments. All board members may be reappointed.

6. Board members shall receive no compensation for their services but shall be allowed their actual and necessary expenses incurred in the performance of their duties.

7. To effectuate the purposes of this section, the board may request from any department, board, bureau, commission or other agency of the state, and the same are authorized to provide, such cooperation and assistance, services and data as will enable the board to properly carry out its functions pursuant to this section.

§ 959-b. Powers and duties. The board shall have the powers and duties to:

1. Advise the governor regarding the development of economic, professional, cultural, and educational links between New York state and the LGBTQ+ community in New York state and advise state agencies in developing policies designed to meet the needs of the LGBTQ+ community in New York state.

2. Undertake studies, conduct research, and prepare factual reports to gather information to formulate and present recommendations to the governor relating to issues of concern and importance to the LGBTQ+ community in New York state.

3. Advise the governor as needed regarding any statutory, regulatory, or other issues of importance to the LGBTQ+ community in New York state.

4. Work with state agencies to develop potential legislation and regulatory changes relating to issues of concern and importance to the LGBTQ+ community in New York state.

5. Submit an annual report to the governor, the temporary president of the senate, and the speaker of the assembly detailing the actions of the board, and any recommendations of the board to address issues of concern and importance to the LGBTQ+ community in New York state.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.