

# 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:

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

3 ARTICLE 45-C  
4 LGBTQ+ ADVISORY BOARD

5 Section 959. Definitions.

6 959-a. LGBTQ+ advisory board established.

7 959-b. Powers and duties.

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

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

13 2. "LGBTQ+" shall mean a member of the community consisting of lesbi-  
14 an, gay, bisexual, transgender, queer or questioning, and other non-cis-  
15 gender individuals, or a reference to such community as a whole.

16 § 959-a. LGBTQ+ advisory board established. 1. There is hereby estab-  
17 lished an advisory board to be known as the "LGBTQ+ advisory board".

18 2. The board shall be comprised of twelve members, to be appointed as  
19 follows: four members to be appointed by the governor, three members to  
20 be appointed by the temporary president of the senate, three members to  
21 be appointed by the speaker of the assembly, one member to be appointed  
22 by the minority leader of the senate, and one member to be appointed by  
23 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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1 3. All members appointed to the board shall be individuals who identi-  
2 fy as LGBTQ+. No individual shall be appointed as a board member who is  
3 a member of the New York state legislature, a statewide elected offi-  
4 cial, a commissioner of an executive agency appointed by the governor,  
5 or a state officer or employee or a legislative employee as defined in  
6 section seventy-three of the public officers law.

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

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

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

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

28 § 959-b. Powers and duties. The board shall have the powers and duties  
29 to:

30 1. Advise the governor regarding the development of economic, profes-  
31 sional, cultural, and educational links between New York state and the  
32 LGBTQ+ community in New York state and advise state agencies in develop-  
33 ing policies designed to meet the needs of the LGBTQ+ community in New  
34 York state.

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

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

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

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

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