

STATE OF NEW YORK

4539

2021-2022 Regular Sessions

IN SENATE

February 5, 2021

Introduced by Sens. KAPLAN, BIAGGI -- read twice and ordered printed,
and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law and the public buildings law,
in relation to prohibiting municipal officers or employees from
displaying political advertisements on or within public buildings

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

1 Section 1. The general municipal law is amended by adding a new
2 section 99-x to read as follows:

3 § 99-x. Municipal officers or employees prohibited from displaying
4 political advertisements on public property. 1. For purposes of this
5 section, the following terms shall have the following meanings:

6 (a) "Municipal officer or employee" shall have the same meaning as
7 defined pursuant to section eight hundred of this chapter, except that
8 it shall also include members of any volunteer fire department which is
9 part of such municipality.

10 (b) "Political advertisement" shall mean any poster, sign, flag,
11 banner, picture, sticker, patch, bumper sticker, article of clothing,
12 accessory or any other item meant to advertise or promote a certain
13 individual for political office.

14 2. A municipal officer or employee, whether paid or unpaid, shall be
15 prohibited from displaying or causing to be displayed any political
16 advertisement on or within any public building, flag pole, monument,
17 sign or any other permanent structure, as well as on or within any muni-
18 cipally owned vehicle, vehicle owned by a volunteer fire company, or any
19 equipment owned by a municipality or fire department.

20 3. This section shall not apply when such a political advertisement
21 appears in a book, digital medium, museum, or otherwise serves an educa-
22 tional or historical purpose, or in instances where the certain individ-
23 ual who is the subject of such political advertisement is deceased.

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

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1 § 2. The public buildings law is amended by adding a new section 147
2 to read as follows:

3 § 147. Municipal officers or employees prohibited from displaying
4 political advertisements on public property. 1. For purposes of this
5 section, the following terms shall have the following meanings:

6 (a) "Municipal officer or employee" shall have the same meaning as
7 defined pursuant to section eight hundred of the general municipal law,
8 except that it shall also include members of any volunteer fire depart-
9 ment which is part of such municipality.

10 (b) "Political advertisement" shall mean any poster, sign, flag,
11 banner, picture, sticker, patch, bumper sticker, article of clothing,
12 accessory or any other item meant to advertise or promote a certain
13 individual for political office.

14 2. A municipal officer or employee, whether paid or unpaid, shall be
15 prohibited from displaying or causing to be displayed any political
16 advertisement on or within any public building, flag pole, monument,
17 sign or any other permanent structure, as well as any other location
18 specified pursuant to section ninety-nine-x of the general municipal
19 law.

20 3. This section shall not apply when such a political advertisement
21 appears in a book, digital medium, museum, or otherwise serves an educa-
22 tional or historical purpose, or in instances where the certain individ-
23 ual who is the subject of such political advertisement is deceased.

24 § 3. This act shall take effect immediately.