

STATE OF NEW YORK

4817

2021-2022 Regular Sessions

IN SENATE

February 12, 2021

Introduced by Sen. KRUEGER -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law, in relation to prohibiting the disclosure of certain information required on financial disclosure reports of certain not-for-profit organizations

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

1 Section 1. Subdivision 8 of section 172 of the executive law, as
2 amended by chapter 43 of the laws of 2002, is amended to read as
3 follows:

4 8. Forms, financial reports, professional fund raisers' contracts, and
5 other documents required to be filed pursuant to this article become
6 public records of the attorney general, except that where such records
7 include the names, addresses or telephone numbers of contributors and
8 amounts contributed by them, such information shall not be a public
9 record and shall not be subject to disclosure pursuant to article six of
10 the public officers law, and the attorney general shall keep such infor-
11 mation confidential and use it solely for the purpose of enforcing the
12 not-for-profit corporation and religious corporation laws, the
13 provisions of this article, article eight of the estates, powers and
14 trusts law, and the attorney general's other charitable trust oversight
15 responsibilities.

16 § 2. Subdivision 9 of section 172-b of the executive law, as added by
17 section 1 of part UU of chapter 55 of the laws of 2020, is amended to
18 read as follows:

19 9. Any registered charitable organization [~~that is required to file an~~
20 ~~annual financial report pursuant to subdivision one or two of this~~
21 ~~section, or~~] that is required to file a funding disclosure report pursu-
22 ant to section one hundred seventy-two-e of this article, and/or a
23 financial disclosure report pursuant to section one hundred
24 seventy-two-f of this article for a reporting period during the applica-

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

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1 ble fiscal year shall also be required to file such annual financial
2 report, including all required forms and attachments, with the depart-
3 ment of state. Where such records include the names, addresses or tele-
4 phone numbers of contributors and amounts contributed by them, such
5 information shall not be a public record and shall not be subject to
6 disclosure pursuant to article six of the public officers law, and the
7 department of state shall use such information solely for the purposes
8 of enforcing sections one hundred seventy-two-e and one hundred seven-
9 ty-two-f of this article and shall keep the information confidential
10 except as provided in sections one hundred seventy-two-e and one hundred
11 seventy-two-f of this article.

12 § 3. This act shall take effect immediately.