

# STATE OF NEW YORK

4817--A

Cal. No. 1014

2021-2022 Regular Sessions

## IN SENATE

February 12, 2021

Introduced by Sens. KRUEGER, COMRIE, HOYLMAN, SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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 are forms including the names, addresses or telephone numbers of  
8 contributors and amounts contributed by them, such names, addresses, and  
9 telephone numbers of contributors and amounts contributed by them shall  
10 not be a public record and shall not be subject to disclosure pursuant  
11 to article six of the public officers law, and the attorney general  
12 shall keep such information confidential, except when authorized by a  
13 court order, and use it solely for the purpose of conducting investi-  
14 gations and litigation to enforce the not-for-profit corporation and  
15 religious corporation laws, the provisions of this article, article  
16 eight of the estates, powers and trusts law, and the attorney general's  
17 other authority to oversee charities and charitable assets.

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

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

LBD02800-05-1

1 9. Any registered charitable organization [~~that is required to file an~~  
2 ~~annual financial report pursuant to subdivision one or two of this~~  
3 ~~section, or~~] that is required to file a funding disclosure report pursu-  
4 ant to section one hundred seventy-two-e of this article, and/or a  
5 financial disclosure report pursuant to section one hundred  
6 seventy-two-f of this article for a reporting period during the applica-  
7 ble fiscal year shall also be required to file such annual financial  
8 report, including all required forms and attachments, with the depart-  
9 ment of state.

10 § 3. This act shall take effect immediately.