

STATE OF NEW YORK

8420--A

IN SENATE

February 28, 2022

Introduced by Sen. BIAGGI -- read twice and ordered printed, and when printed to be committed to the Committee on Ethics and Internal Governance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public officers law, in relation to expanding the ethical duties of public officers and employees; and providing for the repeal of certain provisions

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

1 Section 1. Section 74 of the public officers law is amended by adding
2 a new subdivision 3-a to read as follows:

3 3-a. Other ethical duties. It shall be the ethical duty of any person
4 or entity subject to the provisions of this section to promptly report
5 to the commission information not protected by attorney-client or prose-
6 cutorial investigative privilege about activity known to be in violation
7 of this section or any other law which any person or entity has engaged
8 in with respect to activity that is within the jurisdiction of the joint
9 commission on public ethics established pursuant to section ninety-four
10 of the executive law. Knowledge of discriminatory harassment need not be
11 reported by the subject of such harassment or by another if confided in
12 confidence on the basis of personal friendship. There shall be no
13 retaliation against a person or entity making such a report in good
14 faith on information and belief, and any person aggrieved by such retal-
15 iation may bring a civil action for compensatory and exemplary damages.

16 § 2. Section 74 of the public officers law is amended by adding a new
17 subdivision 3-a to read as follows:

18 3-a. Other ethical duties. It shall be the ethical duty of any person
19 or entity subject to the provisions of this section to promptly report
20 to the commission information not protected by attorney-client or prose-
21 cutorial investigative privilege about activity known to be in violation
22 of this section or any other law which any person or entity has engaged
23 in with respect to activity that is within the jurisdiction of the
24 commission on ethics and lobbying in government established pursuant to
25 section ninety-four of the executive law. Knowledge of discriminatory

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

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harassment need not be reported by the subject of such harassment or by another if confided in confidence on the basis of personal friendship. There shall be no retaliation against a person or entity making such a report in good faith on information and belief, and any person aggrieved by such retaliation may bring a civil action for compensatory and exemplary damages.

§ 3. This act shall take effect on the thirtieth day after it shall have become a law; provided, however, that section two of this act shall take effect on the same date and in the same manner as section 2 of part QQ of chapter 56 of the laws of 2022 takes effect, when upon such date the provisions of section one of this act shall be deemed repealed.