

STATE OF NEW YORK

7550

2023-2024 Regular Sessions

IN ASSEMBLY

May 25, 2023

Introduced by M. of A. McDONALD -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to disclosure of annual employment reports for certain non-charitable, non-profit entities

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 section 172-g
2 to read as follows:

3 § 172-g. Disclosure of annual employment report for certain non-chari-
4 table, non-profit entities. 1. Any corporation or entity that is quali-
5 fied as an exempt organization or entity by the United States Treasury
6 under I.R.C. 501 (c) (3) and United States Treasury under I.R.C. 501
7 (c) (4) and that receives more than twenty-five percent of its total
8 annual revenue from state funds shall submit an annual employment report
9 to the department of audit and control that includes the name and number
10 of employees employed by such corporation or entity, the number of hours
11 such employees worked, and the annual salary paid to such employees.
12 Annual employment reports shall be submitted electronically in a manner
13 that allows such data to be searchable and transferable to a spreadsheet
14 or database without further manipulation. The reports shall be submitted
15 on a form prescribed by the department of audit and control, and shall
16 be available for public inspection and copying pursuant to section
17 eighty-seven of the public officers law. The department of audit and
18 control shall maintain a searchable database of all electronic forms
19 submitted under this section and such searchable database shall be post-
20 ed on a publicly available website and such searchable database shall
21 include, but need not be limited to, the name of the corporation or
22 entity and the total amount such corporation or entity received from the
23 state, the names and number of employees employed by such corporation or
24 entity, the number of hours such employees worked, and the annual salary
25 paid to such employees. It shall be the responsibility of the office of

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

LBD10889-01-3

1 audit and control to ensure such corporation or entity submits the annu-
2 al report required by this section for each year such corporation or
3 entity receives state funds in excess of twenty-five percent of such
4 corporation's or entity's total annual revenue.

5 2. Corporations or entities that fail to submit the annual employment
6 report required by subdivision one of this section shall be notified
7 immediately by the department of audit and control that such report is
8 due. If such report is not furnished within ninety days after notifica-
9 tion by the department that such report is due, such corporation or
10 entity may be subject to a civil penalty of up to one thousand dollars
11 per month until such report is filed. If the report required by subdivi-
12 sion one of this section is not submitted within one hundred eighty days
13 after notification by the department, the corporation or entity shall be
14 ineligible for additional state funding for a minimum of two years.

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