

# STATE OF NEW YORK

8618

## IN ASSEMBLY

January 12, 2024

Introduced by M. of A. McDONALD, GONZALEZ-ROJAS, COLTON, REYES, L. ROSENTHAL, RAGA, DAVILA, FLOOD, LEVENBERG, SHRESTHA -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the legislative law, in relation to lobbying for the confirmation of persons to state office

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

1 Section 1. Section 1-a of the legislative law, as added by chapter 2  
2 of the laws of 1999, is amended to read as follows:

3 § 1-a. Legislative declaration. The legislature hereby declares that  
4 the operation of responsible democratic government requires that the  
5 fullest opportunity be afforded to the people to petition their govern-  
6 ment for the redress of grievances and to express freely to appropriate  
7 officials their opinions on legislation and governmental operations; and  
8 that, to preserve and maintain the integrity of the governmental deci-  
9 sion-making process in this state, it is necessary that the identity,  
10 expenditures and activities of persons and organizations retained,  
11 employed or designated to influence the passage or defeat of any legis-  
12 lation by either house of the legislature [~~or~~], the approval, or veto,  
13 of any legislation by the governor [~~and~~], the nomination or confirmation  
14 of any person to a state office, attempts to influence the adoption or  
15 rejection of any rule or regulation having the force and effect of law  
16 or the outcome of any rate making proceeding by a state agency, and the  
17 attempts to influence the passage or defeat of any local law, ordinance,  
18 or regulation be publicly and regularly disclosed.

19 § 2. Paragraphs (ix) and (x) of subdivision (c) of section 1-c of the  
20 legislative law, as added by chapter 1 of the laws of 2005, are amended  
21 and a new paragraph (xi) is added to read as follows:

22 (ix) the adoption or rejection of any rule, regulation, or resolution  
23 having the force and effect of a local law, ordinance, resolution, or  
24 regulation; [~~or~~]

25 (x) the outcome of any rate making proceeding by any municipality or  
26 subdivision thereof[~~;~~]; or

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

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1 (xi) the nomination or confirmation of any person for a position  
2 subject to confirmation by the senate.

3 § 3. Paragraph 5 of subdivision (c) of section 1-e of the legislative  
4 law, as amended by chapter 1 of the laws of 2005, is amended to read as  
5 follows:

6 (5) the following information on which the lobbyist expects to lobby:  
7 (i) a description of the general subject or subjects, (ii) the legisla-  
8 tive bill numbers of any bills, (iii) the numbers or subject matter (if  
9 there are no numbers) of gubernatorial executive orders or executive  
10 orders issued by the chief executive officer of a municipality, (iv) the  
11 subject matter of and tribes involved in tribal-state compacts, memoran-  
12 da of understanding, or any other state-tribal agreements and any state  
13 actions related to class III gaming as provided in 25 U.S.C. § 2701, (v)  
14 the rule, regulation, and ratemaking numbers of any rules, regulations,  
15 rates, or municipal ordinances and resolutions, or proposed rules, regu-  
16 lations, or rates, or municipal ordinances and resolutions, [~~and~~] (vi)  
17 the titles and any identifying numbers of any procurement contracts and  
18 other documents disseminated by a state agency, either house of the  
19 state legislature, the unified court system, municipal agency or local  
20 legislative body in connection with a governmental procurement, and  
21 (vii) for nominations or confirmations, the offices and nominees or  
22 potential nominees;

23 § 4. Paragraph 3 of subdivision (b) of section 1-h of the legislative  
24 law, as amended by chapter 14 of the laws of 2007, is amended to read as  
25 follows:

26 (3) the following information on which the lobbyist has lobbied: (i) a  
27 description of the general subject or subjects, (ii) the legislative  
28 bill numbers of any bills, (iii) the numbers or subject matter (if there  
29 are no numbers) of gubernatorial executive orders or executive orders  
30 issued by the chief executive officer of a municipality, (iv) the  
31 subject matter of and tribes involved in tribal-state compacts, memoran-  
32 da of understanding, or any other state-tribal agreements and any state  
33 actions related to class III gaming as provided in 25 U.S.C. § 2701, (v)  
34 the rule, regulation, and ratemaking or municipal ordinance or resol-  
35 ution numbers of any rules, regulations, or rates or ordinance or  
36 proposed rules, regulations, or rates or municipal ordinances or resol-  
37 utions, [~~and~~] (vi) the titles and any identifying numbers of any  
38 procurement contracts and other documents disseminated by a state agen-  
39 cy, either house of the state legislature, the unified court system,  
40 municipal agency or local legislative body in connection with a govern-  
41 mental procurement, and (vii) for nominations or confirmations, the  
42 offices and nominees or potential nominees;

43 § 5. Paragraph 3 of subdivision (b) of section 1-j of the legislative  
44 law, as amended by chapter 1 of the laws of 2005, is amended to read as  
45 follows:

46 (3) the following information on which each lobbyist retained,  
47 employed or designated by such client has lobbied, and on which such  
48 client has lobbied: (i) a description of the general subject or  
49 subjects, (ii) the legislative bill numbers of any bills, (iii) the  
50 numbers or subject matter (if there are no numbers) of gubernatorial  
51 executive orders or executive orders issued by the chief executive offi-  
52 cer of a municipality, (iv) the subject matter of and tribes involved in  
53 tribal-state compacts, memoranda of understanding, or any other state-  
54 tribal agreements and any state actions related to class III gaming as  
55 provided in 25 U.S.C. 2701, (v) the rule, regulation, and ratemaking or  
56 municipal resolution or ordinance numbers of any rules, regulations, or

1 rates, or municipal resolutions or ordinances or proposed rules, regu-  
2 lations, or rates, or municipal ordinances or resolutions [~~and~~], (vi)  
3 the titles and any identifying numbers of any procurement contracts and  
4 other documents disseminated by a state agency, either house of the  
5 state legislature, the unified court system, municipal agency or local  
6 legislative body in connection with a governmental procurement, and  
7 (vii) for nominations or confirmations, the offices and nominees or  
8 potential nominees;

9 § 6. Paragraph 1 of subdivision (a) of section 1-k of the legislative  
10 law, as amended by chapter 1 of the laws of 2005, is amended to read as  
11 follows:

12 (1) (A) the passage or defeat of any legislative bill or the approval  
13 or veto of any legislation by the governor, (B) the terms, issuance,  
14 modification or rescission of a gubernatorial executive order, (C) the  
15 terms, approval or disapproval, or the implementation and administration  
16 of tribal-state compacts, memoranda of understanding, or any other  
17 tribal-state agreements and any state actions related to class III  
18 gaming as provided in 25 U.S.C. 2701, [~~ex~~] (D) the adoption or rejection  
19 of any code, rule or regulation having the force and effect of law or  
20 the outcome of any rate making proceeding by a state agency, or (E) the  
21 nomination or confirmation, or defeat of a nomination or confirmation,  
22 of any person for a position subject to confirmation by the senate;

23 § 7. This act shall take effect immediately.