

STATE OF NEW YORK

8897--A

IN ASSEMBLY

January 26, 2024

Introduced by M. of A. WOERNER -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the state finance law, in relation to requiring public disclosure of media contracts

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

1 Section 1. The state finance law is amended by adding a new section
2 136-e to read as follows:

3 § 136-e. Public disclosure of media contracts. 1. Any media or market-
4 ing company, agency or contractor providing contractual services to the
5 state valued at five hundred thousand dollars or more and working with
6 any department, division, board, bureau, commission, or other agency of
7 the state to provide advertising or marketing services shall provide to
8 the comptroller an itemized list of all print publications, digital
9 platforms, television stations, radio stations, or other media where
10 such advertisements, marketing or informational items were placed by
11 such companies, agencies or contractors on behalf of any such state
12 entity. Such list shall also include the amount paid to each such media
13 platform on an annual basis and any other information the comptroller
14 may require for the purpose of identifying media services provided to
15 the state by non-state entities.

16 2. Each department, division, board, bureau, commission or other agen-
17 cy of the state that receives services from any media or marketing
18 company, agency or contractor shall annually, on or before January
19 first, submit to the comptroller all information required pursuant to
20 this section in a manner specified by the comptroller to facilitate the
21 publication requirements of subdivision four of this section.

22 3. Each department, division, board, bureau, commission, or other
23 agency of the state that directly contracts for services on any media
24 platform listed in subdivision one of this section shall provide a list
25 of such media and the amount paid to each media platform for advertising
26 or marketing services to the comptroller annually, on or before January
27 first of each year, and any other information the comptroller may

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

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1 require for the purpose of identifying advertising and marketing
2 services provided to the state by non-state entities.

3 4. The comptroller shall maintain a non-aggregated compilation of all
4 information provided pursuant to subdivisions one, two and three of this
5 section in a public record available for inspection and updated at least
6 annually on a website designated by the comptroller for the purpose of
7 public access. The comptroller shall issue an annual public report by
8 agency on the number and cost of such media services placed by region
9 and by type of media platform.

10 5. The comptroller shall promulgate any rules and regulations neces-
11 sary for the implementation of this section.

12 § 2. This act shall take effect on the first of January next succeed-
13 ing the date on which it shall have become a law. Effective immediately,
14 the addition, amendment and/or repeal of any rule or regulation neces-
15 sary for the implementation of this act on its effective date are
16 authorized to be made and completed on or before such effective date.