

STATE OF NEW YORK

7050

2023-2024 Regular Sessions

IN SENATE

May 17, 2023

Introduced by Sens. SKOUFIS, STAVISKY -- read twice and ordered printed,
and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law and the public buildings law,
in relation to prohibiting municipal officers or employees from
displaying political advertisements on or within public buildings and
various other locations

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

1 Section 1. The general municipal law is amended by adding a new
2 section 99-z to read as follows:

3 § 99-z. Municipal officers or employees prohibited from displaying
4 political advertisements on public property. 1. For purposes of this
5 section, the following terms shall have the following meanings:

6 (a) "Municipal officer or employee" shall have the same meaning as
7 defined pursuant to section eight hundred of this chapter, except that
8 it shall also include members of any volunteer fire department which is
9 part of such municipality.

10 (b) "Political advertisement" shall mean any poster, sign, flag,
11 banner, picture, sticker, patch, bumper sticker, article of clothing,
12 accessory or any other item meant to advertise or promote a certain
13 individual for political office.

14 2. A municipal officer or employee, whether paid or unpaid, shall be
15 prohibited from displaying or causing to be displayed any political
16 advertisement on or within any public building occupied in the discharge
17 of official duties by an individual employed or holding office in the
18 government of such municipality, or on any public flag pole, monument,
19 sign or any other permanent structure that such municipal officer or
20 employee interacts with as part of their official capacity, or on any
21 uniform, accessory or other gear worn or used by a municipal officer or
22 employee as part of their official capacity, as well as on or within any

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

LBD02062-03-3

1 municipally owned vehicle, vehicle owned by a volunteer fire company, or
2 any equipment owned by a municipality or fire department.

3 3. This section shall not apply when such a political advertisement
4 appears in a book, digital medium, museum, or otherwise serves an educa-
5 tional or historical purpose, or in instances where the certain individ-
6 ual who is the subject of such political advertisement is deceased.

7 § 2. The public buildings law is amended by adding a new section 147
8 to read as follows:

9 § 147. Municipal officers or employees prohibited from displaying
10 political advertisements on public property. 1. For purposes of this
11 section, the following terms shall have the following meanings:

12 (a) "Municipal officer or employee" shall have the same meaning as
13 defined pursuant to section eight hundred of the general municipal law,
14 except that it shall also include members of any volunteer fire depart-
15 ment which is part of such municipality.

16 (b) "Political advertisement" shall mean any poster, sign, flag,
17 banner, picture, sticker, patch, bumper sticker, article of clothing,
18 accessory or any other item meant to advertise or promote a certain
19 individual for political office.

20 2. A municipal officer or employee, whether paid or unpaid, shall be
21 prohibited from displaying or causing to be displayed any political
22 advertisement on or within any public building occupied in the discharge
23 of official duties by an individual employed or holding office in the
24 government of the municipality by which such officer or employee is
25 employed or any agency or instrumentality thereof, or on any public flag
26 pole, monument, sign or any other permanent structure, as well as any
27 other location specified pursuant to section ninety-nine-z of the gener-
28 al municipal law that such municipal officer or employee interacts with
29 as part of their official capacity.

30 3. This section shall not apply when such a political advertisement
31 appears in a book, digital medium, museum, or otherwise serves an educa-
32 tional or historical purpose, or in instances where the certain individ-
33 ual who is the subject of such political advertisement is deceased.

34 § 3. This act shall take effect immediately.