

STATE OF NEW YORK

124

2023-2024 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 4, 2023

Introduced by M. of A. SOLAGES, SILLITTI, TAYLOR, EPSTEIN, DICKENS,
GONZALEZ-ROJAS, KELLES, ZINERMAN, JACKSON, LAVINE, LUNSFORD -- read
once and referred to the Committee on Local Governments

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, flag pole, monument,
17 sign or any other permanent structure, on any uniform, accessory or
18 other gear worn or used by a municipal officer as part of their official
19 capacity, as well as on or within any municipally owned vehicle, vehicle
20 owned by a volunteer fire company, or any equipment owned by a muni-
21 city or fire department.

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

LBD02062-01-3

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

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

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

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

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

18 2. A municipal officer or employee, whether paid or unpaid, shall be
19 prohibited from displaying or causing to be displayed any political
20 advertisement on or within any public building, flag pole, monument,
21 sign or any other permanent structure, as well as any other location
22 specified pursuant to section ninety-nine-z of the general municipal law
23 that such municipal officer interacts with as part of their official
24 capacity.

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

29 § 3. This act shall take effect immediately.