STATE OF NEW YORK

5786

2023-2024 Regular Sessions

IN ASSEMBLY

March 23, 2023

Introduced by M. of A. McDONALD -- 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:

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

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

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

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

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

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

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

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

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

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

(3) the following information on which the lobbyist has lobbied: (i) a description of the general subject or subjects, (ii) the legislative bill numbers of any bills, (iii) the numbers or subject matter (if there are no numbers) of gubernatorial executive orders or executive orders issued by the chief executive officer of a municipality, (iv) the subject matter of and tribes involved in tribal-state compacts, memoranda of understanding, or any other state-tribal agreements and any state actions related to class III gaming as provided in 25 U.S.C. § 2701, (v) the rule, regulation, and ratemaking or municipal ordinance or resolution numbers of any rules, regulations, or rates or ordinance or proposed rules, regulations, or rates or municipal ordinances or resolutions, [~~and~~] (vi) the titles and any identifying numbers of any procurement contracts and other documents disseminated by a state agency, either house of the state legislature, the unified court system, municipal agency or local legislative body in connection with a governmental procurement**, and (vii) for nominations or confirmations, the offices and nominees or potential nominees**;

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

(3) the following information on which each lobbyist retained, employed or designated by such client has lobbied, and on which such client has lobbied: (i) a description of the general subject or subjects, (ii) the legislative bill numbers of any bills, (iii) the numbers or subject matter (if there are no numbers) of gubernatorial executive orders or executive orders issued by the chief executive officer of a municipality, (iv) the subject matter of and tribes involved in tribal-state compacts, memoranda of understanding, or any other state-tribal agreements and any state actions related to class III gaming as

provided in 25 U.S.C. 2701, (v) the rule, regulation, and ratemaking or municipal resolution or ordinance numbers of any rules, regulations, or rates, or municipal resolutions or ordinances or proposed rules, regulations, or rates, or municipal ordinances or resolutions [~~and~~], (vi) the titles and any identifying numbers of any procurement contracts and other documents disseminated by a state agency, either house of the state legislature, the unified court system, municipal agency or local legislative body in connection with a governmental procurement**, and (vii) for nominations or confirmations, the offices and nominees or potential nominees**;

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

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

§ 7. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after January 1, 2023.