

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 Assem-
bly, 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.