STATE OF NEW YORK

8897

IN ASSEMBLY

January 26, 2024

Introduced by M. of A. WOERNER -- read once and referred to the Committee on Governmental Operations

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:

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

§ 136-e. Public disclosure of media contracts. 1. Any media or marketing company, agency or contractor working with a department, division, board, bureau, commission, or other agency of the state to provide advertising or marketing services shall provide to the comptroller an itemized list of all print publications, digital platforms, television stations, radio stations, or other media where such advertisements, marketing or informational items were placed by such companies, agencies or contractors on behalf of any such state entity. Such list shall also include the amount paid to each such media platform on an annual basis and any other information the comptroller may require for the purpose of identifying media services provided to the state by non-state entities.

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

3. Each department, division, board, bureau, commission, or other agency of the state that directly contracts for services on any media platform listed in subdivision one of this section shall provide a list of such media and the amount paid to each media platform for advertising or marketing services to the comptroller annually, on or before January first of each year, and any other information the comptroller may require for the purpose of identifying advertising and marketing services provided to the state by non-state entities.

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

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

5. The comptroller shall promulgate any rules and regulations necessary for the implementation of this section.

§ 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.