

STATE OF NEW YORK

385

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. BARCLAY, DiPIETRO, HAWLEY, MORINELLO, LEMONDES, BRABENEC -- Multi-Sponsored by -- M. of A. K. BROWN, DeSTEFANO, GALLAHAN, MANKTELOW -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the legislative law, in relation to creating an assembly standing committee on ethics and guidance

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

1 Section 1. The legislative law is amended by adding a new section 68
2 to read as follows:

3 § 68. Assembly standing committee on ethics and guidance. 1. There is
4 established a standing committee in the assembly on ethics and guidance
5 which shall replace the standing committee on ethics and guidance as
6 established by the rules of the assembly. The committee shall consist of
7 an equal number of majority and minority members for a total of eight
8 members. The eight members shall be members of the assembly and
9 appointed as follows: four by the speaker of the assembly and four by
10 the minority leader of the assembly.

11 2. The committee shall serve as described in this section and have and
12 exercise the powers and duties set forth in this section only with
13 respect to members of the assembly and assembly employees.

14 3. Members of the assembly who serve on the committee shall each have
15 a two year term concurrent with their legislative terms of office.

16 4. Members of the committee may only be removed by a majority vote of
17 the committee solely for substantial neglect of duty, gross misconduct
18 in office, violation of the confidentiality restrictions in this
19 section, inability to discharge the powers or duties of office or
20 violation of this section, after written notice and opportunity for a
21 reply.

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

LBD00128-01-5

1 5. The speaker of the assembly and the minority leader of the assembly
2 shall each designate one member of the committee as a co-chairperson
3 thereof. The co-chairpersons shall receive compensation as provided for
4 in section five-a of this chapter.

5 6. The committee shall meet at least bi-monthly and at such additional
6 times as may be called for by the co-chairpersons jointly or any four
7 members of the committee.

8 7. Any vacancy occurring on the committee shall be filled within thir-
9 ty days by the appointing authority.

10 8. Five members of the committee shall constitute a quorum, and the
11 committee shall have power to act by majority vote of the total number
12 of members of the committee without vacancy.

13 9. The committee shall be funded separately from the assembly appro-
14 priations provided annually in an amount deemed appropriate by an agree-
15 ment of the co-chairs for the maintenance and operation of the commit-
16 tee. Such appropriation for the committee shall be specifically lined
17 out in the legislative budget. The executive director and employees of
18 the committee shall be considered as employees of the assembly for all
19 purposes.

20 10. The committee shall:

21 (a) appoint an executive director who shall act in accordance with the
22 policies of the committee, provided that the committee may remove the
23 executive director by a majority vote for neglect of duty, misconduct in
24 office, or inability or failure to discharge the powers or duties of
25 office;

26 (b) appoint such other staff as are necessary to assist it to carry
27 out its duties under this section;

28 (c) adopt, amend, and rescind policies, rules and regulations consist-
29 ent with this section to govern procedures of the committee;

30 (d) administer the provisions of this section;

31 (e) review all rules and policies of the speaker or the assembly
32 relating to conduct of members and employees of the assembly, including
33 but not limited to ethics, sexual harassment and fraternization with
34 student interns, and recommend to the speaker of the assembly and the
35 minority leader of the assembly any changes to such rules and policies
36 or offer motions to amend rules of the assembly, or offer motions to
37 suspend rules of the assembly, or adopt policies relating to conduct of
38 members and employees of the assembly, including but not limited to
39 ethics, sexual harassment and fraternization with student interns. Any
40 such policy relating to conduct of members and employees of the assembly
41 adopted by the committee shall be the policy of the assembly and subject
42 to the provisions of this section;

43 (f) develop and regularly update a course of instruction for all
44 members and employees of the assembly with regard to the laws and poli-
45 cies governing their conduct. The committee shall recommend to the
46 speaker of the assembly and the minority leader of the assembly a
47 conduct and ethics training plan for implementing and scheduling such
48 course of instruction for members, employees and newly-hired employees;

49 (g) prepare an annual report to the speaker of the assembly and the
50 minority leader of the assembly summarizing the activities of the
51 committee during the previous year and recommending any changes in the
52 laws governing the conduct of persons subject to the jurisdiction of the
53 committee, or the rules, regulations and procedures governing the
54 committee's conduct. Such report shall include: (i) a listing by
55 assigned number of each complaint including current status of each
56 complaint, (ii) where a matter was deferred, and (iii) where a matter

1 has been resolved, the date and nature of the disposition and any sanc-
2 tion imposed, subject to the confidentiality requirements of this
3 section; and

4 (h) investigate complaints and impose disciplinary measures against
5 members and employees found in violation of rules and policies of the
6 speaker or the assembly or the public officers law or other law.

7 11. Investigations, mandatory reporting of violations, and enforcement
8 authority:

9 (a) The committee shall have the authority, on its own accord, to
10 initiate by a majority vote an investigation into a possible violation,
11 by any member or employee of the assembly, of the rules or policy of the
12 speaker or the assembly or of the public officers law or other law.

13 (b) Any formal or informal complaint of a violation of rules and poli-
14 cies of the speaker or the assembly relating to conduct of members and
15 employees of the assembly or of a violation of the public officers law
16 or other law, must be reported to the committee within five days of such
17 complaint being made to counsel, office of human resources, office of
18 administration and personnel or intake representative.

19 (c) The committee shall review such complaint at the next meeting of
20 such committee and determine by majority vote whether to investigate
21 such complaint further, commence a full formal investigation of such
22 complaint or defer such complaint to the joint commission on public
23 ethics, the legislative ethics commission, or an appropriate prosecutor.
24 The staff of the committee shall provide to the members of the committee
25 prior to such vote information regarding the likely scope and content of
26 the investigation, and a subpoena plan, to the extent such information
27 is available.

28 (d) If the committee determines by majority vote that a full formal
29 investigation shall commence the committee shall notify the individual
30 in writing, describe the possible or alleged violation of rules and
31 policies of the speaker or the assembly related to conduct of members
32 and employees of the assembly or of a violation of the public officers
33 law or other law and provide the person with a fifteen day period in
34 which to submit a written response setting forth information relating to
35 the activities cited as a possible or alleged violation of such rules
36 and policies.

37 (e) The committee has the authority to conduct any inquiry pertinent
38 or material to the discharge of the functions, powers and duties imposed
39 by law; and through designated members of the staff, to subpoena
40 witnesses, administer oaths, take testimony and compel the production of
41 such books, papers, records and documents as may be relevant to any such
42 inquiry and investigation.

43 (f) If the committee determines at any stage that there is no
44 violation, it shall so advise the individual and the complainant, if
45 any. All of the foregoing proceedings shall be confidential.

46 (g) The jurisdiction of the committee when acting pursuant to this
47 section shall continue notwithstanding that a member of the assembly or
48 assembly employee separates from assembly service, provided that the
49 committee notifies such individual of the alleged violation of rules and
50 policies of the speaker or the assembly relating to conduct of members
51 and employees of the assembly or of a violation of the public officers
52 law pursuant to paragraph (c) of this subdivision within one year from
53 their separation from assembly service.

54 (h) If during the course of its investigation the committee deems that
55 a violation of rules and policies of the speaker or the assembly related
56 to conduct of members and employees of the assembly or a violation of

the public officers law or other law has occurred, the committee shall notify the individual in writing.

(i) The committee shall have the authority to (i) recommend punishments for violations of rules and policies of the speaker or the assembly, or the public officers law or other law, including but not limited to censure, stripping members of leadership positions or expulsion pursuant to section three of this chapter and (ii) assess penalties pursuant to applicable law or rule.

(j) No member or employee of the assembly shall take any adverse personnel action with respect to another member or employee of the assembly in retaliation for their making a report to the committee, or for their official duties as a member of the committee, concerning conduct which they know or reasonably believe to be a violation of rules and policies of the speaker or the assembly or the public officers law or other law.

(k) Notwithstanding the provisions of article six of the public officers law, the only records of the committee which shall be available for public inspection and copying are:

(i) the terms of any settlement or compromise of a complaint or referral or report which includes a fine, penalty or other remedy reached by the committee; and

(ii) all reports required by this section.

12. Notwithstanding the provisions of article seven of the public officers law, no meeting or proceeding of the committee shall be open to the public, except if expressly provided otherwise by this section or the committee.

§ 2. That portion of subdivision 1 of section 5-a of the legislative law entitled "ASSEMBLYMEN SERVING IN SPECIAL CAPACITY", as amended by section 3 of part XX of chapter 56 of the laws of 2009, is amended to read as follows:

[~~ASSEMBLYMEN~~] ASSEMBLYMEMBER
SERVING IN SPECIAL CAPACITY

[Chairman] <u>Chairperson</u> of assembly ways and means committee	34,000
Ranking minority member of assembly ways and means committee	20,500
[Chairman] <u>Chairperson</u> of assembly judiciary committee	18,000
Ranking minority member of assembly judiciary committee	11,000
[Chairman] <u>Chairperson</u> of assembly codes committee	18,000
Ranking minority member of assembly codes committee	11,000
[Chairman] <u>Chairperson</u> of assembly banks committee	15,000
Ranking minority member of assembly banks committee	9,500
[Chairman] <u>Chairperson</u> of assembly committee on cities	15,000
Ranking minority member of assembly committee on cities	9,500
[Chairman] <u>Chairperson</u> of assembly education committee	18,000
Ranking minority member of assembly education committee	11,000
[Chairman] <u>Chairperson</u> of assembly health committee	15,000
Ranking minority member of assembly health committee	9,500
[Chairman] <u>Chairperson</u> of assembly local	

1	governments committee	15,000
2	Ranking minority member of assembly local governments	
3	committee	9,500
4	[Chairman] <u>Chairperson</u> of assembly agriculture	
5	committee	12,500
6	Ranking minority member of assembly agriculture committee	9,000
7	[Chairman] <u>Chairperson</u> of assembly economic development, job creation,	
8	commerce and industry committee	18,000
9	Ranking minority member of assembly economic development,	
10	job creation, commerce and industry committee	11,000
11	[Chairman] <u>Chairperson</u> of assembly environmental conservation	
12	committee	12,500
13	Ranking minority member of assembly environmental conservation	
14	committee	9,000
15	[Chairman] <u>Chairperson</u> of assembly corporations, authorities	
16	and commissions committee	15,000
17	Ranking minority member of assembly corporations,	
18	authorities, and commissions committee	9,500
19	[Chairman] <u>Chairperson</u> of assembly correction	
20	committee	12,500
21	Ranking minority member of assembly correction committee	9,000
22	[Chairman] <u>Majority Chairperson</u> of assembly ethics and guidance	
23	committee	12,500
24	[Ranking minority member of assembly ethics and guidance	
25	committee	9,000]
26	<u>Minority Chairperson of assembly ethics and guidance</u>	
27	<u>committee</u>	<u>12,500</u>
28	[Chairman] <u>Chairperson</u> of assembly governmental employees	
29	committee	12,500
30	Ranking minority member of assembly governmental	
31	employees committee	9,000
32	[Chairman] <u>Chairperson</u> of assembly governmental operations	
33	committee	12,500
34	Ranking minority member of assembly governmental	
35	operations committee	9,000
36	[Chairman] <u>Chairperson</u> of assembly housing	
37	committee	12,500
38	Ranking minority member of assembly housing committee	9,000
39	[Chairman] <u>Chairperson</u> of assembly insurance	
40	committee	12,500
41	Ranking minority member of assembly insurance committee	9,000
42	[Chairman] <u>Chairperson</u> of assembly labor	
43	committee	14,000
44	Ranking minority member of assembly labor committee	9,000
45	[Chairman] <u>Chairperson</u> of assembly racing and wagering	
46	committee	12,500
47	Ranking minority member of assembly racing and wagering	
48	committee	9,000
49	[Chairman] <u>Chairperson</u> of assembly social services	
50	committee	12,500
51	Ranking minority member of assembly social services	
52	committee	9,000
53	[Chairman] <u>Chairperson</u> of assembly small business	
54	committee	12,500
55	Ranking minority member of assembly small business	

1	committee	9,000
2	[Chairman] Chairperson of assembly transportation	
3	committee	15,000
4	Ranking minority member of assembly transportation	
5	committee	9,500
6	[Chairman] Chairperson of assembly veterans'	
7	affairs committee	12,500
8	Ranking minority member of assembly veterans' affairs	
9	committee	9,000
10	[Chairman] Chairperson of assembly aging	
11	committee	12,500
12	Ranking minority member of assembly aging committee	9,000
13	[Chairman] Chairperson of the assembly alcoholism and drug abuse	
14	committee	12,500
15	Ranking minority member of the assembly alcoholism and drug abuse	
16	committee	9,000
17	[Chairman] Chairperson of assembly committee on mental health,	
18	mental retardation and developmental disabilities	12,500
19	Ranking minority member of assembly committee on mental health,	
20	mental retardation and developmental disabilities	9,000
21	[Chairman] Chairperson of assembly higher education	
22	committee	12,500
23	Ranking minority member of assembly higher education committee ...	9,000
24	[Chairman] Chairperson of assembly real property taxation	
25	committee	12,500
26	Ranking minority member of assembly real property taxation	
27	committee	9,000
28	[Chairman] Chairperson of assembly election law	
29	committee	12,500
30	Ranking minority member of assembly election	
31	law committee	9,000
32	[Chairman] Chairperson of assembly children and families	
33	committee	12,500
34	Ranking minority member of assembly children and families	
35	committee	9,000
36	[Chairman] Chairperson of assembly consumer affairs and protection	
37	committee	12,500
38	Ranking minority member of assembly consumer affairs and	
39	protection committee	9,000
40	[Chairman] Chairperson of the assembly energy	
41	committee	12,500
42	Ranking minority member of assembly energy committee	9,000
43	[Chairman] Chairperson of assembly tourism, parks, arts and sports	
44	development committee	12,500
45	Ranking minority member of assembly tourism, parks, arts and	
46	sports development committee	9,000
47	[Chairman] Chairperson of assembly oversight, analysis and investigation	
48	committee	12,500
49	Ranking minority member of assembly oversight,	
50	analysis and investigation committee	9,000
51	[Chairman] Chairperson of assembly office of state-federal	
52	relations	12,500
53	[Chairman] Chairperson of majority house	
54	operations	12,500
55	[Chairman] Chairperson of minority house	

1 operations 9,000
2 [~~Co-chairman~~ Co-chairperson of the administrative regulations review
3 commission 12,500

4 § 3. Severability clause. If any part or provision of this section or
5 the application thereof to any person is adjudged by a court of compe-
6 tent jurisdiction to be unconstitutional or otherwise invalid, such
7 judgment shall not affect or impair any other part or provision or the
8 application thereof to any other person, but shall be confined to such
9 part or provision.

10 § 4. This act shall take effect immediately.