STATE OF NEW YORK

764

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. SOLAGES -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to municipal offices of the inspector general

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

Section 1. The general municipal law is amended by adding a new article 4-A to read as follows:

ARTICLE 4-A
OFFICE OF THE INSPECTOR GENERAL

Section 60. Establishment and organization.
61. Functions and duties.
62. Powers.
63. Responsibilities of the municipality and its officers and employees.

§ 60. Establishment and organization. 1. No later than one year after the effective date of this section, each municipality having a population of five hundred thousand persons or more shall establish an office of the inspector general for such municipality. The head of the office shall be the inspector general who shall be appointed by the governing body of the municipality.

2. The inspector general shall hold office for an initial period of four years and until the inspector general's successor is appointed and has qualified.

3. The inspector general shall report to the secretary to the governing body of the municipality.

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

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4. The salary of the inspector general shall be established by the governing body of the municipality within the limit of funds available therefor.

§ 61. Functions and duties. The inspector general shall have the following duties and responsibilities:

1. receive and investigate complaints from any source, or upon the inspector general's own initiative, concerning allegations of corruption, fraud, criminal activity, conflicts of interest or abuse in any department, office or agency of the municipality;

2. determine with respect to such allegations whether disciplinary action, civil or criminal prosecution, or further investigation by an appropriate federal, state or local agency is warranted, and to assist in such investigations;

3. prepare and release to the public written reports of such investigations, as appropriate and to the extent permitted by law, subject to redaction to protect the confidentiality of witnesses. The release of all or portions of such reports may be deferred to protect the confidentiality of ongoing investigations;

4. review and examine periodically the policies and procedures of the departments, offices and agencies of the municipality with regard to the prevention and detection of corruption, fraud, criminal activity, conflicts of interest or abuse;

5. recommend remedial action to prevent or eliminate corruption, fraud, criminal activity, conflicts of interest or abuse in the departments, offices or agencies of the municipality;

6. establish programs for training municipal officers and employees in regard to the prevention and elimination of corruption, fraud, criminal activity, conflicts of interest or abuse in the departments, offices and agencies of the municipality; and

7. make an annual report to the mayor, the comptroller and the governing body of the municipality concerning its work during the preceding year. Such report shall include but not be limited to the number of cases investigated, and the number of complaints received. Such initial report shall be due no later than the first day of April two thousand twenty-seven, and then by the first day of April each year thereafter. Such report shall be made public and published on the website of the office of the inspector general and on the website of the municipality.

§ 62. Powers. The inspector general shall have the power to:

1. subpoena and enforce the attendance of witnesses;

2. administer oaths or affirmations and examine witnesses under oath;

3. require the production of any books and papers deemed relevant or material to any investigation, examination or review;

4. notwithstanding any law to the contrary, examine and copy or remove documents or records of any kind prepared, maintained or held by any department, office or agency of the municipality;

5. require any municipal officer or employee to answer questions concerning any matter related to the performance of such person's official duties. No statement or other evidence derived therefrom may be used against such officer or employee in any subsequent criminal prosecution other than for perjury or contempt arising from such testimony. The refusal of any officer or employee to answer questions shall be cause for removal from office or employment or other appropriate penalty;

6. monitor the implementation by the municipality of any recommendations made by the inspector general; and

7. perform any other functions that are necessary or appropriate to fulfill the duties and responsibilities of the office.

§ 63. Responsibilities of the municipality and its officers and employees. 1. Every officer or employee of the municipality shall report promptly to the inspector general any information concerning corruption, fraud, criminal activity, conflicts of interest or abuse by another officer or employee relating to such person's office or employment, or by a person having business dealings with the municipality relating to those dealings. The knowing failure of any officer or employee to so report shall be cause for removal from office or employment or other appropriate penalty under this article. Any officer or employee who acts pursuant to this subdivision by reporting to the inspector general or other appropriate law enforcement official improper governmental action as defined in section seventy-five-b of the civil service law shall not be subject to dismissal, discipline or other adverse personnel action.

2. The inspector general shall advise the mayor and the governing body of the municipality within ninety days of the issuance of a report by the inspector general as to the remedial action that the municipality has taken in response to any recommendation for such action contained in such report.

§ 2. This act shall take effect immediately.