

# STATE OF NEW YORK

7125

2025-2026 Regular Sessions

## IN SENATE

April 1, 2025

Introduced by Sen. SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Ethics and Internal Governance

AN ACT to amend the executive law and the legislative law, in relation to subjecting individuals who solicit, request, command, importune, or intentionally aid or assist others to engage in conduct that violates certain provisions of the public officers law, the civil service law, or the legislative law to the same penalties as those who perform the illegal activities

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

1 Section 1. Paragraph (n) of subdivision 10 of section 94 of the execu-  
2 tive law, as added by section 2 of part QQ of chapter 56 of the laws of  
3 2022, is amended to read as follows:  
4 (n) (i) An individual subject to the jurisdiction of the commission  
5 who knowingly and intentionally violates the provisions of subdivisions  
6 two through five-a, seven, eight, twelve or fourteen through seventeen  
7 of section seventy-three of the public officers law, section one hundred  
8 seven of the civil service law, or a reporting individual who knowingly  
9 and willfully fails to file an annual statement of financial disclosure  
10 or who knowingly and willfully with intent to deceive makes a false  
11 statement or fraudulent omission or gives information which such indi-  
12 vidual knows to be false on such statement of financial disclosure filed  
13 pursuant to section seventy-three-a of the public officers law, or an  
14 individual, acting with the mental culpability required for the commis-  
15 sion thereof, who solicits, requests, commands, importunes, or inten-  
16 tionally aids or assists another person to engage in any such conduct,  
17 shall be subject to a civil penalty in an amount not to exceed forty  
18 thousand dollars and the value of any gift, compensation or benefit  
19 received as a result of such violation.

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

LBD10675-02-5

1 (ii) An individual who or an entity that knowingly and intentionally  
2 violates the provisions of paragraph a, b, c, d, e, g, or i of subdivi-  
3 sion three of section seventy-four of the public officers law, or an  
4 individual, acting with the mental culpability required for the commis-  
5 sion thereof, who solicits, requests, commands, importunes, or inten-  
6 tionally aids or assists another person to engage in such conduct, shall  
7 be subject to a civil penalty in an amount not to exceed ten thousand  
8 dollars and the value of any gift, compensation or benefit received as a  
9 result of such violation.

10 (iii) An individual subject to the jurisdiction of the commission who  
11 knowingly and willfully violates article one-A of the legislative law,  
12 or an individual, acting with the mental culpability required for the  
13 commission thereof, who solicits, requests, commands, importunes, or  
14 intentionally aids or assists another person to engage in such conduct,  
15 shall be subject to civil penalty as provided for in that article.

16 (iv) With respect to a potential violation of any criminal law where  
17 the commission finds sufficient cause by a majority vote, it shall refer  
18 such matter to the appropriate law enforcement authority for further  
19 investigation.

20 (v) In assessing the amount of the civil penalties to be imposed, the  
21 commission shall consider the seriousness of the violation, the amount  
22 of gain to the individual and whether the individual previously had any  
23 civil or criminal penalties imposed pursuant to this section, and any  
24 other factors the commission deems appropriate.

25 (vi) A civil penalty for false filing shall not be imposed under this  
26 subdivision in the event a category of "value" or "amount" reported  
27 hereunder is incorrect unless such reported information is falsely  
28 understated.

29 (vii) Notwithstanding any other provision of law to the contrary, no  
30 other penalty, civil or criminal may be imposed for a failure to file,  
31 or for a false filing, of such statement, or a violation of subdivision  
32 six of section seventy-three of the public officers law or section one  
33 hundred seven of the civil service law, except that the commission may  
34 recommend that the individual in violation of such subdivision or  
35 section be disciplined.

36 § 2. Subparagraph (ii) of paragraph (p) of subdivision 10 of section  
37 94 of the executive law, as added by section 2 of part QQ of chapter 56  
38 of the laws of 2022, is amended to read as follows:

39 (ii) With respect to the investigation of any individual who is not a  
40 member of the legislature or a legislative employee or candidate for  
41 member of the legislature, if after its investigation and due process  
42 hearing, the commission has found, by a majority vote, a substantial  
43 basis to conclude that the individual or entity has violated the public  
44 officers law, section one hundred seven of the civil service law, or the  
45 legislative law, or, acting with the mental culpability required for the  
46 commission of such violations, has solicited, requested, commanded,  
47 importuned, or intentionally aided or assisted another person to violate  
48 one or more of such laws, the commission shall determine whether, in  
49 addition to or in lieu of any fine authorized by this article, the  
50 matter should be referred to their employer for discipline with a warn-  
51 ing, admonition, censure, suspension or termination or other appropriate  
52 discipline. With regard to statewide elected officials, the commission  
53 may not order suspension or termination but may recommend impeachment.  
54 The commission shall then issue a report containing its determinations  
55 including its findings of fact and conclusions of law to the complainant

1 and respondent. The commission shall publish such report on its website  
2 within twenty days of its delivery to the complainant and respondent.

3 § 3. Section 1-o of the legislative law, as added by chapter 14 of the  
4 laws of 2007, is amended to read as follows:

5 § 1-o. Penalties. (a) (i) Any lobbyist, public corporation, or client  
6 who knowingly and wilfully fails to file timely a report or statement  
7 required by this section or knowingly and wilfully files false informa-  
8 tion or knowingly and wilfully violates section one-m of this article  
9 shall be guilty of a class A misdemeanor; and

10 (ii) any lobbyist, public corporation, or client who knowingly and  
11 wilfully fails to file timely a report or statement required by this  
12 section or knowingly and wilfully files false information or knowingly  
13 and wilfully violates section one-m of this article, after having previ-  
14 ously been convicted in the preceding five years of the crime described  
15 in paragraph (i) of this subdivision, shall be guilty of a class E felo-  
16 ny. Any lobbyist convicted of or pleading guilty to a felony under the  
17 provisions of this section may be barred from acting as a lobbyist for a  
18 period of one year from the date of the conviction. [~~For the purposes of  
19 this subdivision, the chief administrative officer of any organization  
20 required to file a statement or report shall be the person responsible  
21 for making and filing such statement or report unless some other person  
22 prior to the due date thereof has been duly designated to make and file  
23 such statement or report.~~]

24 (b)(i) A lobbyist, public corporation, or client who knowingly and  
25 wilfully fails to file a statement or report within the time required  
26 for the filing of such report or knowingly and wilfully violates section  
27 one-m of this article, or an individual, acting with the mental culpa-  
28 bility required for the commission thereof, who solicits, requests,  
29 commands, importunes, or intentionally aids or assists another person to  
30 engage in such conduct, shall be subject to a civil penalty for each  
31 such failure or violation, in an amount not to exceed the greater of  
32 twenty-five thousand dollars or three times the amount the person failed  
33 to report properly or unlawfully contributed, expended, gave or  
34 received, to be assessed by the commission.

35 (ii) A lobbyist, public corporation, or client who knowingly and  
36 wilfully files a false statement or report, or an individual, acting  
37 with the mental culpability required for the commission thereof, who  
38 solicits, requests, commands, importunes, or intentionally aids or  
39 assists another person to engage in such conduct shall be subject to a  
40 civil penalty, in an amount not to exceed the greater of fifty thousand  
41 dollars or five times the amount the person failed to report properly,  
42 to be assessed by the commission.

43 (iii)(A) A lobbyist or client who knowingly and wilfully violates the  
44 provisions of subdivision one of section one-n of this article, or an  
45 individual, acting with the mental culpability required for the commis-  
46 sion thereof, who solicits, requests, commands, importunes, or inten-  
47 tionally aids another person to engage in such conduct, shall be subject  
48 to a civil penalty not to exceed ten thousand dollars for an initial  
49 violation.

50 (B) If, after a lobbyist or client has been found to have violated  
51 subdivision one of section one-n of this article, a lobbyist or client  
52 knowingly and wilfully violates the provisions of subdivision one of  
53 section one-n of this article within four years of such finding, the  
54 lobbyist or client shall be subject to a civil penalty not to exceed  
55 twenty-five thousand dollars.

1 (iv) Any lobbyist or client that knowingly and wilfully fails to file  
2 a statement or report within the time required for the filing of such  
3 report, knowingly and wilfully files a false statement or report, or  
4 knowingly and wilfully violates section one-m of this article, after  
5 having been found by the commission to have knowing and wilfully commit-  
6 ted such conduct or violation in the preceding five years, may be  
7 subject to a determination that the lobbyist or client is prohibited  
8 from engaging in lobbying activities, as that term is defined in para-  
9 graph (v) of subdivision (c) of section one-c of this article, for a  
10 period of one year.

11 (v) Any lobbyist or client that knowingly and wilfully engages in  
12 lobbying activities, as that term is defined in paragraph (v) of subdivi-  
13 sion (c) of section one-c of this article, during the period in which  
14 they are prohibited from engaging in lobbying activities, as that term  
15 is defined in paragraph (v) of subdivision (c) of section one-c of this  
16 article pursuant to this subdivision, may be subject to a determination  
17 that the lobbyist or client is prohibited from engaging in lobbying  
18 activities, as that term is defined in paragraph (v) of subdivision (c)  
19 of section one-c of this article, for a period of up to four years, and  
20 shall be subject to a civil penalty not to exceed fifty thousand  
21 dollars, plus a civil penalty in an amount equal to five times the value  
22 of any gift, compensation or benefit received as a result of the  
23 violation.

24 (vi) A lobbyist, public corporation, or client who knowingly and  
25 wilfully fails to retain their records pursuant to paragraph three of  
26 subdivision (c) of section one-e of this article, subparagraph (v) of  
27 paragraph five of subdivision (b) of section one-h of this article, or  
28 paragraph five of subdivision (b) of section one-j of this article shall  
29 be subject to a civil penalty in an amount of two thousand dollars per  
30 violation to be assessed by the commission.

31 (c) For the purposes of this section, the chief administrative officer  
32 of any organization required to file a statement or report shall be the  
33 person responsible for making and filing such statement or report unless  
34 some other person prior to the due date thereof has been duly designated  
35 to make and file such statement or report.

36 (d)(i) Any assessment or order to debar shall be determined only after  
37 a hearing at which the party shall be entitled to appear, present  
38 evidence and be heard. Any assessment or order to debar pursuant to this  
39 section may only be imposed after the commission sends by certified and  
40 first-class mail written notice of intent to assess a penalty or order  
41 to debar and the basis for the penalty or order to debar. Any assessment  
42 may be recovered in an action brought by the attorney general.

43 (ii) In assessing any fine or penalty pursuant to this section, the  
44 commission shall consider: (A) as a mitigating factor that the lobbyist,  
45 public corporation or client has not previously been required to regis-  
46 ter, and (B) as an aggravating factor that the lobbyist, public corpo-  
47 ration or client has had fines or penalties assessed against it in the  
48 past. The amount of compensation expended, incurred or received shall be  
49 a factor to consider in determining a proportionate penalty.

50 (iii) Any lobbyist, public corporation or client who receives a notice  
51 of intent to assess a penalty for knowingly and wilfully failing to file  
52 a report or statement pursuant to subdivision (b) of this section and  
53 who has never previously received a notice of intent to assess a penalty  
54 for failing to file a report or statement required under this section  
55 shall be granted fifteen days within which to file the statement of  
56 registration or report without being subject to the fine or penalty set

1 forth in subdivision (b) of this section. Upon the failure of such  
2 lobbyist, public corporation or client to file within such fifteen day  
3 period, such lobbyist, public corporation or client shall be subject to  
4 a fine or penalty pursuant to subdivision (b) of this section.

5 [~~(d)~~] (e) All moneys recovered by the attorney general or received by  
6 the commission from the assessment of civil penalties authorized by this  
7 section shall be deposited to the general fund.

8 § 4. Subdivision (a) of section 1-p of the legislative law, as added  
9 by chapter 2 of the laws of 1999 and as relettered by chapter 1 of the  
10 laws of 2005, is amended to read as follows:

11 (a) All statements and reports required under this article shall be  
12 subject to a declaration by the chief administrator officer or person  
13 [~~making and filing~~] duly designated with the responsibility to make or  
14 file such statement and report that the information contained in any  
15 such filing is true, correct and complete to the best knowledge and  
16 belief of the signer under the penalties of perjury.

17 § 5. This act shall take effect immediately.