STATE OF NEW YORK

7304

2025-2026 Regular Sessions

IN SENATE

April 9, 2025

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the labor law and the legislative law, in relation to requiring state employees attend annual implicit bias training and certain public officials attend annual management training

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

Section 1. The labor law is amended by adding a new section 27-f to read as follows:

§ 27-f. Annual implicit bias training. 1. Definitions. For the purposes of this section:

a. "Employer" means: (1) the state; (2) a political subdivision of the state; (3) a public authority, a public benefit corporation, or any other governmental agency or instrumentality thereof; (4) an authorized agency as defined in paragraph (a) of subdivision ten of section three hundred seventy-one of the social services law that accepts children adjudicated delinquent under article three of the family court act; and (5) members of the legislature.

b. "Employee" means a public employee working for an employer.

c. "Implicit bias training" means a training program designed to help individuals become aware of their implicit biases and equip them with tools and strategies to act objectively, limiting the influence of their implicit biases.

2. Employee information and training. Every employer shall conduct implicit bias training to its employees. A copy of such training shall be filed with the department.

§ 2. Paragraphs i, k and l of subdivision 7 of section 80 of the legislative law, paragraph i as amended by chapter 841 of the laws of 2022 and paragraphs k and l as amended by section 4 of part QQ of chapter 56 of the laws of 2022, are amended and a new paragraph m is added to read as follows:

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

LBD05360-01-5

i. Upon written request from any person who is subject to the jurisdiction of the commission and the requirements of sections seventy-three, seventy-three-a and seventy-four of the public officers law, and section five-b of this chapter render formal advisory opinions on the requirements of said provisions. A formal written opinion rendered by the commission, until and unless amended or revoked, shall be binding on the legislative ethics commission in any subsequent proceeding concerning the person who requested the opinion and who acted in good faith, unless material facts were omitted or misstated by the person in the request for an opinion. Such opinion may also be relied upon by such person, and may be introduced and shall be a defense in any criminal or civil action. The commission on ethics and lobbying in government shall not investigate an individual for potential violations of law based upon conduct approved and covered in its entirety by such an opinion, except that such opinion shall not prevent or preclude an investigation of and report to the legislative ethics commission concerning the conduct of the person who obtained it by the commission on ethics and lobbying in government for violations of section seventy-three, seventy-three-a or seventy-four of the public officers law and section [~~5-b~~] five-b of this chapter to determine whether the person accurately and fully represented to the legislative ethics commission the facts relevant to the formal advisory opinion and whether the person's conduct conformed to those factual representations. The commission on ethics and lobbying in government shall be authorized and shall have jurisdiction to investigate potential violations of the law arising from conduct outside of the scope of the terms of the advisory opinion; [~~and~~]

k. Develop educational materials and training with regard to legislative ethics for members of the legislature and legislative employees including an online ethics orientation course for newly-hired employees and, as requested by the senate or the assembly, materials and training in relation to a comprehensive ethics training program; [~~and~~]

l. Prepare an annual report to the governor and legislature summarizing the activities of the commission during the previous year and recommending any changes in the laws governing the conduct of persons subject to the jurisdiction of the commission, or the rules, regulations and procedures governing the commission's conduct. Such report shall include: (i) a listing by assigned number of each complaint and report received from the commission on ethics and lobbying in government which alleged a possible violation within its jurisdiction, including the current status of each complaint, and (ii) where a matter has been resolved, the date and nature of the disposition and any sanction imposed, subject to the confidentiality requirements of this section. Such annual report shall not contain any information for which disclosure is not permitted pursuant to subdivision twelve of this section[~~.~~]; and

m. Provide mandatory annual management training for the governor, lieutenant governor, attorney general, comptroller, members of the state legislature, and legislative employees which shall include, but not be limited to, diversity training. Such program shall also be available to any employees of such elected officials, executive employees, and any other employee of the state.

§ 3. 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.