STATE OF NEW YORK

10714

IN ASSEMBLY

March 27, 2026

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 prohibiting municipal officers or employees from using municipal funds for certain mass mailings prior to an election

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 section 99-aa to read as follows:

§ 99-aa. Municipal officers or employees prohibited from using municipal funds for certain mass mailings prior to an election. 1. As used in this section:

(a) "Municipal officer or employee" shall have the same meaning as set forth in section eight hundred of this chapter.

(b) "Candidate" shall have the same meaning as set forth in section 14-100 of the election law.

(c) "Mass mailing" means identical or nearly identical pieces of literature or other mass communication totaling more than one hundred items, including but not limited to newsletters, pamphlets and informational materials, which are mailed or delivered to residents or voters, or any group or classification thereof, other than in response to specific inquiries or requests by members of the public.

(d) "Appearance" means a communication by live and/or recorded, visual and/or audio images of the candidate, to use the name of the candidate, or both, or in a manner which makes the identity of the candidate otherwise apparent by unambiguous reference.

(e) "Participate" means to authorize, request, suggest, foster, cooperate, and encompasses actions and omissions of both the candidate for elective office and any agent acting on behalf of the candidate.

(f) "Other mass communication" means the use of telephone banks or robocalls, emails, text messages, websites, social media accounts and other forms of telecommunication.

2. (a) No municipal officer or employee who is a candidate for nomination or election to any elective office shall use, cause another

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

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person to use, or participate in the use of governmental funds or resources for a mass mailing that is postmarked, if mailed, or delivered, if by other means, less than ninety days prior to any primary or general election for any elective office for which such person is a candidate for nomination or election.

(b) In the case of a candidate in a special election to fill a vacancy in an elective office, the prohibitions set forth in paragraph (a) of this subdivision shall apply from the day the special election is declared through the day of the special election.

3. (a) Nothing in this section shall prohibit the appearance or participation by municipal officers or employees in the use of governmental funds or resources for a mass mailing of:

(i) advertisements and other communications required by law;

(ii) communications necessary to safeguard public health and safety;

(iii) standard communications in response to inquiries or requests;

(iv) ordinary communications between municipal officers and their constituents; or

(v) press releases sent to members of the media.

(b) Nothing in this section shall be deemed to permit any interest or conduct prohibited by article eighteen of this chapter or by any rule, regulation, opinion, code of ethics, or determination of the county or local board of ethics issued pursuant thereto or restrict in any way the powers and obligations of a county or local board of ethics.

4. Any person who violates the provisions of this section shall be liable for a civil penalty of not less than one thousand dollars nor more than five thousand dollars.

§ 2. This act shall take effect January 1, 2027.