

# STATE OF NEW YORK

2637

2025-2026 Regular Sessions

## IN ASSEMBLY

January 21, 2025

Introduced by M. of A. KELLES, CLARK -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to establishing a code of ethics for all board of elections employees

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

1 Section 1. The election law is amended by adding a new section 3-201  
2 to read as follows:

3 § 3-201. Boards of elections; employee code of ethics. 1. Definition.  
4 As used in this section the term "board of elections employee" shall  
5 mean any permanent full-time employee of a board of elections.

6 2. Rule with respect to conflicts of interest. No board of elections  
7 employee should have any interest, financial or otherwise, direct or  
8 indirect, or engage in any business or transaction or professional  
9 activity or incur any obligation of any nature, which is in substantial  
10 conflict with the proper discharge of their duties in the public inter-  
11 est.

12 3. Standards. (a) No board of elections employee should accept other  
13 employment which will impair their independence of judgment in the exer-  
14 cise of their official duties, including but not limited to, receiving  
15 compensation or other forms of payment from a campaign or political  
16 campaign account for non-governmental political work.

17 (b) No board of elections employee should use or attempt to use their  
18 official position to secure unwarranted privileges or exemptions for  
19 themselves or others, including but not limited to, the misappropriation  
20 to themselves or to others, of the property, services or other resources  
21 of the state for private business or other compensated non-governmental  
22 purposes.

23 (c) A board of elections employee should not, by their conduct, give  
24 reasonable basis for the impression that any person can improperly  
25 influence such employee or unduly enjoy their favor in the performance

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

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1 of their official duties, or that they are affected by the kinship,  
2 rank, position or influence of any party or person.

3 (d) A board of elections employee should abstain from making personal  
4 investments in enterprises which they have reason to believe may be  
5 directly involved in decisions to be made by the employee or which will  
6 otherwise create substantial conflict between their duty in the public  
7 interest and their private interest.

8 (e) A board of elections employee should endeavor to pursue a course  
9 of conduct which will not raise suspicion among the public that they are  
10 likely to be engaged in acts that are in violation of their trust.

11 4. Violations. In addition to any penalty contained in any other  
12 provision of law, any such board of elections employee who shall know-  
13 ingly and intentionally violate any of the provisions of this section  
14 may be fined, suspended or removed from office or employment in the  
15 manner provided by law.

16 (a) Any such employee who knowingly and intentionally violates the  
17 provisions of paragraph (b), (c) or (d) of subdivision three of this  
18 section shall be subject to a civil penalty in an amount not to exceed  
19 ten thousand dollars plus the value of any gift, compensation or benefit  
20 received as a result of such violation.

21 (b) Any such employee who knowingly and intentionally violates the  
22 provisions of paragraph (a) or (e) of subdivision three of this section  
23 shall be subject to a civil penalty in an amount not to exceed the value  
24 of any gift, compensation or benefit received as a result of such  
25 violation.

26 § 2. This act shall take effect on the sixtieth day after it shall  
27 have become a law.