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# Charter of the City of New York



Proposed by the New York City Charter Revision Commission

*August 1989*

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1 CHAPTER 68

2 CONFLICTS OF INTEREST

3 (excerpts: Revisions of Sec. 2602 and New Paragraph Added to Sec.  
4 2604(b))

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6 Sec. 2602. Conflicts of interest board. a. There shall be a  
7 conflicts of interest board consisting of [three] five members,  
8 appointed by the mayor with the advice and consent of the council.  
9 The mayor shall designate a chair.

10 b. Members shall be chosen for their independence, integrity,  
11 civic commitment and high ethical standards. No person while a  
12 member shall hold any public office, seek election to any public  
13 office, be a public employee in any jurisdiction, hold any  
14 political party office, or appear as a lobbyist before the city.

15 c. Each member shall serve for a term of six years; provided,  
16 however, that of the three members first appointed, one shall be  
17 appointed for a term to expire on March thirty-first, nineteen  
18 hundred ninety, one shall be appointed for a term to expire on  
19 March thirty-first, nineteen hundred ninety-two and one shall be  
20 appointed for a term to expire on March thirty-first, nineteen  
21 hundred ninety-four, and of the remaining members, one shall be  
22 appointed for a term to expire on March thirty first, nineteen  
23 hundred ninety two and one shall be appointed for a term to expire  
24 on March thirty first, nineteen hundred ninety four. If the mayor  
25 has not submitted to the council a nomination for appointment of  
26 a successor at least sixty days prior to the expiration of the term  
27 of the member whose term is expiring, the term of the member in  
28 office shall be extended for an additional year and the term of the  
29 successor to such member shall be shortened by an equal amount of  
30 time. If the council fails to act within forty-five days of receipt  
31 of such nomination from the mayor, the nomination shall be deemed  
32 to be confirmed. No member shall serve for more than two  
33 consecutive six-year terms. [All] The three initial nominations  
34 by the mayor shall be made by the first day of February, nineteen

1 hundred eighty-nine, and both later nominations by the mayor shall  
2 be made by the first day of March, nineteen hundred ninety.

3 d. Members shall receive a per diem compensation, no less than  
4 the highest amount paid to an official appointed to a board or  
5 commission with the advice and consent of the council and  
6 compensated on a per diem basis, for each calendar day when  
7 performing the work of the board.

8 e. Members of the board shall serve until their successors have  
9 been confirmed. Any vacancy occurring other than by expiration  
10 of a term shall be filled by nomination by the mayor made to the  
11 council within sixty days of the creation of the vacancy, for the  
12 unexpired portion of the term of the member succeeded. If the  
13 council fails to act within forty-five days of receipt of such  
14 nomination from the mayor, the nomination shall be deemed to be  
15 confirmed.

16 f. Members may be removed by the mayor for substantial neglect  
17 of duty, gross misconduct in office, inability to discharge the  
18 powers or duties of office or violation of this section, after  
19 written notice and opportunity for a reply.

20 g. The board shall appoint a counsel to serve at its pleasure  
21 and shall employ or retain such other officers, employees and  
22 consultants as are necessary to exercise its powers and fulfill its  
23 obligations. The authority of the counsel shall be defined in  
24 writing, provided that neither the counsel, nor any other officer,  
25 employee or consultant of the board shall be authorized to issue  
26 advisory opinions, promulgate rules, issue subpoenas, issue final  
27 determinations of violations of this chapter, or make final  
28 recommendations of or impose penalties. The board may delegate its  
29 authority to issue advisory opinions to the chair.

30 h. The board shall meet at least once a month and at such other  
31 times as the chair may deem necessary. Two members of the board  
32 shall constitute a quorum and all acts of the board shall be by the  
33 affirmative vote of at least two members of the board.

34 Sec. 2604. Prohibited interests and conduct

1        b. Prohibited Conduct.

2        15. No elected official, deputy mayor, deputy to a citywide or  
3 boroughwide elected official, head of an agency, or other public  
4 servant who is charged with substantial policy discretion as  
5 defined by rule of the board may be a member of the national or  
6 state committee of a political party, serve as an assembly district  
7 leader of a political party or serve as the chair or as an officer  
8 of the county committee or county executive committee of a  
9 political party, except that a member of the council may serve as  
10 an assembly district leader or hold any lesser political office as  
11 defined by rule of the board.