

**PROPOSED INTRO. \_\_\_\_**

To amend the administrative code of the city of New York, in relation to the filing of annual disclosure reports

Be it enacted by the Council as follows:

1 Section 1. Subdivision a of section 12-110 of the administrative code of the city  
2 of New York, as added by local law number 43 for the year 2003, paragraphs 2 and 9 as  
3 amended by local law number 14 for the year 2006, is amended to read as follows:

4 §12-110 Annual disclosure.

5 a. Definitions. As used in this section:

6 1. The term ["business dealings with a state or local agency" shall mean any  
7 transaction with any state or local agency involving the sale, purchase, rental, disposition or  
8 exchange of any goods, services or property, any license, permit, grant or benefit, and any  
9 performance of or litigation with respect to any of the foregoing, but shall not include any  
10 transaction involving a public servant's residence or any ministerial matter] "affiliated" shall  
11 mean a firm that is a subsidiary of another firm, or two firms that have a parent in common, or  
12 two firms with a stockholder in common who owns at least twenty-five per cent of the shares of  
13 each such firm.

14 2. The term "agency" or "city agency" shall mean a city, county, borough or other  
15 office, position, administration, department, division, bureau, board, commission, authority,  
16 corporation, committee or other agency of government, the expenses of which are paid in whole  
17 or in part from the city treasury, and shall include but not be limited to, the council, the offices of  
18 each elected official, the board of education, community boards, the health and hospitals  
19 corporation, the New York city industrial development agency, the economic development  
20 corporation, the offices of the district attorneys of the counties of Bronx, Kings, New York,

1 Queens and Richmond, and of the special narcotics prosecutor, the New York city housing  
2 authority, and the New York city housing development corporation, but shall not include any  
3 court or any corporation or institution maintaining or operating a public library, museum,  
4 botanical garden, arboretum, tomb, memorial building, aquarium, zoological garden or similar  
5 facility or any advisory committee as that term is defined in subdivision one of section twenty-  
6 six hundred one of the charter.

7 3. The term "business dealings" shall mean any transaction involving the sale,  
8 purchase, rental, disposition or exchange of any goods, services, or property, any license, permit,  
9 grant or benefit, and any performance of or litigation with respect to any of the foregoing, but  
10 shall not include any transaction involving a public servant's residence or any ministerial matter.

11 [2. The term "city employee" shall be defined as an employee of a city, county,  
12 borough or other office, position, administration, department, division, bureau, board,  
13 commission, authority, corporation or other agency of government, the expenses of which are  
14 paid in whole or in part from the city treasury and shall include but not be limited to employees  
15 of the New York city health and hospitals corporation, the New York city industrial development  
16 agency, the offices of the district attorneys of the counties of Bronx, Kings, New York, Queens  
17 and Richmond, and of the special narcotics prosecutor, and the New York city housing  
18 development corporation].

19 4. The term "city" shall mean the city of New York and shall include an agency  
20 of the city.

21 [3.] 5. The term "conflicts of interest board" or "board" shall mean the conflicts  
22 of interest board appointed pursuant to section twenty-six hundred two of the New York city  
23 charter.

1 [4.] 6. The term “domestic partners” shall mean persons who have a registered  
2 domestic partnership, which shall include any partnership registered pursuant to section 3-240 of  
3 the administrative code of the city of New York.

4 7. The term "gift" shall mean anything of value for which a person pays nothing  
5 or less than fair market value and may be in the form of money, services, reduced interest on a  
6 loan, travel, travel reimbursement, entertainment, hospitality, thing, promise, or in any other  
7 form. “Gift” shall not include reimbursements.

8 8. The term “income” shall include, but not be limited to, salary for government  
9 employment, income from other compensated employment whether public or private,  
10 directorships and other fiduciary or advisory positions, contractual arrangements, teaching  
11 income, partnership income, lecture fees, consultant fees, bank and bond interest, dividends,  
12 income derived from a trust, real estate rents, and recognized gains from the sale or exchange of  
13 real or other property.

14 [5.] 9. The term “independent body” shall mean any organization or group of  
15 voters which nominates a candidate or candidates for office to be voted for at an election, and  
16 which is not a political party as defined in paragraph [seven] twelve of this subdivision.

17 10. The term "local authority" or "local public authority" shall be given the same  
18 meaning as the term "local authority" is defined in subdivision two of section two of the public  
19 authorities law.

20 [6.] 11. The term "local political party official" shall mean:

21 (1) any chair of a county committee elected pursuant to section 2-112 of the  
22 election law, or his or her successor in office, who received compensation or expenses, or both,

1 from constituted committee or political committee funds, or both, during the reporting period  
2 aggregating thirty thousand dollars or more;

3 (2) that person (usually designated by the rules of a county committee as the  
4 “county leader” or “chair of the executive committee”) by whatever title designated, who  
5 pursuant to the rules of a county committee or in actual practice, possesses or performs any or all  
6 of the following duties or roles, provided that such person received compensation or expenses, or  
7 both, from constituted committee or political committee funds, or both, during the reporting  
8 period aggregating thirty thousand dollars or more:

9 (i) the principal political, executive and administrative officer of the county  
10 committee;

11 (ii) the power of general management over the affairs of the county committee;

12 (iii) the power to exercise the powers of the chair of the county committee as  
13 provided for in the rules of the county committee;

14 (iv) the power to preside at all meetings of the county executive committee if such  
15 a committee is created by the rules of the county committee or exists de facto, or any other  
16 committee or subcommittee of the county committee vested by such rules with or having de  
17 facto the power of general management over the affairs of the county committee at times when  
18 the county committee is not in actual session;

19 (v) the power to call a meeting of the county committee or of any committee or  
20 subcommittee vested with the rights, powers, duties or privileges of the county committee  
21 pursuant to the rules of the county committee, for the purpose of filling an office at a special  
22 election in accordance with section 6-114 of the election law, for the purpose of filling a vacancy  
23 in accordance with section 6-116 of such law or for the purpose of filling a vacancy or vacancies

1 in the county committee which exist by reason of an increase in the number of election districts  
2 within the county occasioned by a change of the boundaries of one or more election districts,  
3 taking effect after the election of its members, or for the purpose of determining the districts that  
4 the elected members shall represent until the next election at which such members of such  
5 committee are elected; provided, however, that in no event shall such power encompass the  
6 power of a chair of an assembly district committee or other district committee smaller than a  
7 county and created by the rules of the county committee, to call a meeting of such district  
8 committee for such purpose;

9 (vi) the power to direct the treasurer of the party to expend funds of the county  
10 committee; or

11 (vii) the power to procure from one or more bank accounts of the county  
12 committee the necessary funds to defray the expenses of the county committee. The terms  
13 “constituted committee” and “political committee” as used in this subparagraph shall have the  
14 same meanings as those contained in section 14-100 of the election law.

15 12. The term "policymaking position" shall refer to persons charged with  
16 "substantial policy discretion" as referenced in paragraphs twelve and fifteen of subdivision b of  
17 section twenty-six hundred four of the New York city charter, and as defined by rule of the  
18 conflicts of interest board.

19 [7.] 13. The term “political party” shall mean any political organization which at  
20 the last preceding election for governor polled at least fifty thousand votes for its candidate for  
21 governor.

22 [8.] 14. The term “political organization” shall mean any political party as  
23 defined in paragraph [seven] thirteen of this subdivision, or independent body, as defined in

1 paragraph [five] nine of this subdivision, or any organization that is affiliated with or a  
2 subsidiary of a party or independent body.

3 15. The term "reimbursements" shall mean any travel-related expenses provided  
4 by non-governmental sources, whether directly or as repayment, for activities related to the  
5 reporting person's official duties, such as speaking engagements, conferences, or fact-finding  
6 events, but shall not include gifts.

7 [9.] 16. The term "relative" shall mean the spouse, domestic partner, [parent,  
8 grandparent,] child, stepchild, brother, sister, parent, or stepparent of the person reporting, or any  
9 person [who is the direct descendant of the grandparents of the person reporting or of the spouse  
10 or domestic partner of the person reporting] whom the person reporting claimed as a dependent  
11 on his or her latest personal income tax return, and each such relative's spouse or domestic  
12 partner.

13 17. The term "securities" shall mean bonds, mortgages, notes, obligations,  
14 warrants and stocks of any class, investment interests in limited or general partnerships and such  
15 other evidences of indebtedness and certificates of interest as are usually referred to as securities.

16 [10.] 18. The terms "state agency" and "local agency" shall be given the same  
17 meanings as such terms are given in section eight hundred ten of the general municipal law.

18 19. The term "unemancipated child" shall mean any son, daughter, stepson or  
19 stepdaughter who is under age eighteen, unmarried and living in the household of the person  
20 reporting at the time the person files his or her annual disclosure report, and shall also include  
21 any son or daughter of the spouse or domestic partner of such person who is under age eighteen,  
22 unmarried and living in the household of the person reporting at the time the person files his or  
23 her annual disclosure report.

1           § 2. Subdivision b of section 12-110 of the administrative code of the city of New  
2 York, as added by local law number 43 for the year 2003, paragraph 3 as amended by local law  
3 number 14 for the year 2006, is amended to read as follows:

4           b. Persons required to file [a financial] an annual disclosure report.

5           The following persons shall file with the conflicts of interest board [a] an annual  
6 disclosure report, in such form as the board shall determine, disclosing certain financial interests  
7 as hereinafter provided. Reports [filed prior to January first, two thousand six may be filed  
8 electronically, in such form as the board may determine, and thereafter] shall, except as  
9 otherwise provided by the board [in consultation with the filer's agency], be filed electronically,  
10 in such form as the board may determine.

11           1. Elected and political party officials.

12           (a) Each elected officer described in sections four, twenty-four, twenty-five,  
13 eighty-one, ninety-one and eleven hundred twenty-five of the New York city charter, and each  
14 local political party official described in paragraph [six] eleven of subdivision a of this section,  
15 shall file such report not later than [May first of] such date as designated by the conflicts of  
16 interest board each year.

17           (b) A local political party official required to file a report pursuant to  
18 subparagraph (a) of this paragraph who is also subject to the financial disclosure filing  
19 requirements of subdivision two of section seventy-three-a of the public officers law may satisfy  
20 the requirements of paragraph one by filing with the conflicts of interest board a copy of the  
21 statement filed pursuant to section seventy-three-a of the public officers law, on or before the  
22 filing deadline provided in such section seventy-three-a, notwithstanding the filing deadline  
23 otherwise imposed by paragraph one of this subdivision.

1                   2. Candidates for public office.

2                   (a) Each person, other than any person described in paragraph one, who has  
3 declared his or her intention to seek nomination or election and who has filed papers or petitions  
4 for nomination or election, or on whose behalf a declaration or nominating paper or petition has  
5 been made or filed which has not been declined, for an office described in paragraph one of  
6 subdivision b of this section shall file such report on or before the last day for filing his or her  
7 designating petitions pursuant to the election law.

8                   (b) Each person, other than any person described in paragraph one, who was a  
9 write-in candidate at the primary election for an office described in paragraph one of subdivision  
10 b of this section and whose name is thereafter entered in the nomination book at the board of  
11 elections, shall file such report within twenty days after such primary election.

12                   (c) Each person, other than any person described in paragraph one, who has been  
13 designated to fill a vacancy in a designation or nomination for an office described in paragraph  
14 one of subdivision b of this section shall file such report within fifteen days after a certificate  
15 designating such person to fill such vacancy is filed with the board of elections, or within five  
16 days before the election for which the certificate is filed, whichever is earlier.

17                   (d) The conflicts of interest board shall obtain from the board of elections lists of  
18 all candidates for the elected positions set forth below, and from such lists, shall determine and  
19 publish lists of those candidates who have not, within ten days after the required date for filing  
20 such reports, filed the reports required by this section.

21                   3. (a) The following categories of persons who had such status during the  
22 preceding calendar year or up until the date of filing their [financial] annual disclosure report

1 shall be required to file a report not later than [May first of] the date designated by the conflicts  
2 of interest board each year:

3 (1) Each agency head, deputy agency head, and assistant agency head[, member  
4 of any board or commission, other than a member of a board or a commission who serves  
5 without compensation, provided, however, that a member of the New York city housing  
6 development corporation shall be deemed to be a compensated member of such corporation for  
7 purposes of this section];

8 (2) Each officer or employee of the city in the mayor's office, the city council, a  
9 district attorney's office, the office of the special narcotics prosecutor, or any other agency that  
10 does not employ M-level mayor's management plan indicators for its managers, whose  
11 responsibilities on April thirtieth of each year involve the independent exercise of managerial or  
12 policymaking functions or who holds a policymaking position on such date, as annually  
13 determined by the appointing authority of his or her agency, subject to review by the conflicts of  
14 interest board;

15 (3) Each [city] officer or employee of the city, other than an officer or employee  
16 of the city in the mayor's office, the city council, a district attorney's office or the special  
17 narcotics prosecutor's office, who, on April thirtieth of each year, is paid in accordance with the  
18 mayor's management pay plan at level M4 or higher, or who holds a policymaking position on  
19 such date, as defined by rule of the conflicts of interest board and as annually determined by the  
20 head of his or her agency, subject to review by the conflicts of interest board;

21 (4) Each officer or employee of the city whose duties at any time during the  
22 preceding calendar year involved the negotiation, authorization or approval of contracts, leases,  
23 franchises, revocable consents, concessions and applications for zoning changes, variances and

1 special permits, as defined by rule of the conflicts of interest board and as annually determined  
2 by his or her agency head or employer, subject to review by the conflicts of interest board.

3 (5) Each assessor required to file a report solely by reason of section three  
4 hundred thirty-six of the real property tax law[, provided, however, that the report filed by any  
5 such assessor shall be the report prescribed by such section of the real property law];

6 (6) Any [other] person required by New York state law to file [a financial] an  
7 annual disclosure report with the conflicts of interest board.

8 (b) Separation from service:

9 (1) Each person described in this paragraph shall, following separation from  
10 service, file such report for the portion of the last calendar year in which he or she served in his  
11 or her position within sixty days of his or her separation from service or on or before the [May  
12 first next succeeding] date designated by the conflicts of interest board for filing pursuant to  
13 subparagraph (a) of this paragraph, whichever is earlier, if such person met the criteria of this  
14 subparagraph on his or her last day of service. Each such person who leaves service prior to  
15 [May first] the date designated by the conflicts of interest board for filing pursuant to  
16 subparagraph (a) of this paragraph shall also file a report for the previous calendar year within  
17 sixty days of his or her separation from service or [on the May first next succeeding] on or before  
18 such date designated by the conflicts of interest board, whichever is earlier.

19 (2) Each such person who is terminating or separating from service shall not  
20 receive his or her final paycheck, and/or any lump sum payment to which he or she may be  
21 entitled, until such person has complied with the requirements of this section.

22 (3) Each elected officer and each local political party official described in  
23 paragraph [six] eleven of subdivision a of this section shall, after leaving office, file such report

1 for the previous calendar year, if such officer or local political party official has not previously  
2 filed such report, and shall file such report for the portion of the last calendar year in which he or  
3 she served in office, within sixty days of his or her last day in office or on or before the [May  
4 first next succeeding] date designated by the conflicts of interest board for filing pursuant to  
5 subparagraph (a) of paragraph one of this subdivision, whichever is earlier.

6 § 3. Subdivision c of section 12-110 of the administrative code of the city of New  
7 York, as added by local law number 43 for the year 2003, is amended to read as follows:

8 c. Procedures involving the filing of [financial] annual disclosure reports.

9 1. Each agency shall file with the conflicts of interest board, prior to the date  
10 required for the filing of reports, a list of persons obligated to report pursuant to this section.

11 2. Each agency head shall determine, subject to review by the conflicts of interest  
12 board, which persons within the agency occupy positions that are described in clauses three and  
13 four of subparagraph (a) of paragraph three of subdivision b of this section, and shall, prior to the  
14 date on which the filing of the report is required, inform such employees of their obligation to  
15 report. The conflicts of interest board shall promulgate rules establishing procedures whereby  
16 any employee may seek review of the agency's determination that he or she is required to report.

17 3. The speaker of the council, each district attorney and the special narcotics  
18 prosecutor shall determine, subject to review by the conflicts of interest board, which persons on  
19 their staff occupy positions that are described in clause two of subparagraph (a) of paragraph  
20 three of subdivision b of this section, and shall, prior to the date required for the filing of the  
21 reports, inform such employees of their obligation to report.

22 4. The conflicts of interest board shall promulgate rules establishing procedures  
23 whereby a person required to file an annual [financial] disclosure report may request an

1 additional period of time within which to file such report, due to justifiable cause or undue  
2 hardship. Such rules shall include, but not be limited to, the establishment of a date beyond  
3 which in all cases of justifiable cause or undue hardship no further extension of time will be  
4 granted.

5 5. Any amendments and changes to [a financial] an annual disclosure report made  
6 after its filing shall be made on a [separate] form to be [provided] prescribed by the conflicts of  
7 interest board [and attached to the report. Said form shall contain the corresponding page and  
8 item numbers of the report, the amendment, the signature of the person making such amendment  
9 and the initials of the chair of the board or his or her designee]. Amendments shall be made only  
10 by the person who originally filed such report.

11 § 4. Subdivision d of section 12-110 of the administrative code of the city of New  
12 York is amended to read as follows:

13 d. Information to be reported.

14 [The report shall contain the following information:]

15 1. Officers and employees of the city; compensated members of city boards and  
16 commissions; candidates for public office; elected and political party officials. The report filed  
17 by officers and employees of the city, compensated members of city boards and commissions,  
18 candidates for public office, elected officials, political party officials and any other person  
19 required by state law to file a report shall contain the information required by this paragraph,  
20 unless such person is required to file a report solely by paragraphs two, three, and/or four of this  
21 subdivision.

1                   For purposes of filing an annual disclosure report, members of the New York city  
2 housing development corporation shall be deemed to be compensated members of a city board or  
3 commission.

4                   (a) List the name of the person reporting; his or her title or position; the entity by  
5 which he or she is employed; his or her office address and telephone number; list the marital  
6 status of the person reporting, and if married, list the spouse's full name including maiden name  
7 where applicable; indicate whether the person is a member of a domestic partnership, and if so,  
8 list the partner's full name; list the names of all unemancipated children. [For purposes of this  
9 section, the term "unemancipated child" shall mean any son, daughter, stepson or stepdaughter  
10 who is under age eighteen, unmarried and living in the household of the person reporting, and  
11 shall also include any son or daughter of the spouse or domestic partner of such person who is  
12 under age eighteen, unmarried and living in the household of the person.]

13                   [2.] (b) List any office, trusteeship, directorship, partnership, or position of any  
14 nature including honorary positions, whether compensated or not, held by the person reporting or  
15 his or her spouse or domestic partner or unemancipated child with any firm, corporation,  
16 association, partnership, or other organization other than the state of New York. Do not list  
17 membership positions. If the listed entity was licensed or regulated by any state or local agency,  
18 or engaged in business dealings with, or had matters other than ministerial matters before, any  
19 state or local agency, list the name of such agency.

20                   [3. (a)] (c) (1) List the name, address and description of any occupation, trade,  
21 business, profession or employment, other than the employment listed pursuant to paragraph one  
22 of this subdivision, engaged in by the person reporting. If such employer or business was  
23 licensed or regulated by any state or local agency, or engaged in business dealings with, or

1 matters other than ministerial matters before, any state or local agency, list the name of any such  
2 agency.

3 [(b)] (2) If the spouse, domestic partner or unemancipated child of the person  
4 reporting was engaged in any occupation, employment, trade, business or profession which  
5 activity was licensed or regulated by any state or local agency, or engaged in business dealings  
6 with, or had matters other than ministerial matters before, any state or local agency, list the  
7 name, address and description of such occupation, employment, trade, business or profession and  
8 the name of any such agency.

9 [4.] (d) List any positions the person reporting held as an officer of any political  
10 party or political organization, as a member of any political party committee, or as a political  
11 party district leader.

12 [5.] (e) If the person reporting practices law, is licensed by the department of state  
13 as a real estate broker or agent or practices a profession licensed by the state department of  
14 education, give a general description of the principal subject areas of matters undertaken by such  
15 person. If the person reporting practices with a firm or corporation of which he or she is a partner  
16 or shareholder, give a general description of principal subject areas of matters undertaken by  
17 such firm or corporation. Do not list the name of the individual clients, customers or patients.

18 [6. (a)] (f) (1) Describe the terms of, and the parties to, any agreement providing  
19 for [continuation of] future payments or benefits to the person reporting [of one thousand dollars  
20 or more from] by a prior or current employer other than the city of New York. Such description  
21 of an agreement shall include interests in or contributions to a pension fund, profit-sharing plan,  
22 life or health insurance, buy-out agreements or severance payments, etc.

23 [(b)] (2) Describe the terms of, and the parties to, any contract, promise or

1 agreement between the person reporting and any person, firm or corporation with respect to the  
2 future employment of such reporting person [after leaving his or her office or position, other than  
3 a leave of absence].

4 [7.] (g) List the nature and amount of any income of one thousand dollars or more  
5 from each source derived during the preceding calendar year, to the person reporting or his or her  
6 spouse or domestic partner. [For purposes of this paragraph, “income” shall include, but not be  
7 limited to, salary for government employment, income from other compensated employment  
8 whether public or private, directorships and other fiduciary or advisory positions, contractual  
9 arrangements, teaching income, partnership income, lecture fees, consultant fees, bank and bond  
10 interest, dividends, income derived from a trust, real estate rents, and recognized gains from the  
11 sale or exchange of real or other property.] Income from a business or profession and real estate  
12 rents shall be reported with the source identified by the building address in the case of real estate  
13 rents and otherwise by the name of the entity and not by the name of the individual customers,  
14 clients or tenants, with the aggregate net income before taxes for each building address or entity.  
15 The receipt of maintenance received in connection with a matrimonial action, alimony and child  
16 support payments shall not be listed.

17 [8.] (h) List the source of each of the following items received or accrued during  
18 the preceding calendar year by the person reporting:

19 [(a)] (1) Any deferred income to be paid following the close of the calendar year  
20 for which this disclosure statement is filed, other than any source of income otherwise disclosed  
21 pursuant to subparagraph (a) of paragraph nine of this subdivision, of one thousand dollars or  
22 more from each source. Deferred income derived from the practice of a profession shall be listed  
23 in the aggregate and shall be identified as to the source, including the name of the firm,

1 corporation, partnership or association through which the income was derived, but shall not  
2 include individual clients' identities.

3 [(b)] (2) Reimbursement to the person reporting or his or her spouse or domestic  
4 partner, for expenditures, excluding campaign expenditures and expenditures in connection with  
5 official duties reimbursed by the city, of one thousand dollars or more in each instance. [For  
6 purposes of this subparagraph, the term "reimbursements" shall mean any travel-related expenses  
7 provided by non-governmental sources, whether directly or as repayment, for activities related to  
8 the reporting person's official duties, such as speaking engagements, conferences, or fact-finding  
9 events, but shall not include gifts reported pursuant to subparagraph (d) of this paragraph.]

10 [(c)] (3) Honoraria received by the person reporting or his or her spouse or  
11 domestic partner from a single source in the aggregate amount of one thousand dollars or more.

12 [(d)] (4) Any gift, its value and nature, [in the aggregate amount or value of one  
13 thousand dollars or more] from any single source received by the person reporting, his or her  
14 spouse or domestic partner or unemancipated child, during the preceding calendar year,  
15 excluding gifts from a relative, except as otherwise provided under the election law covering  
16 campaign contributions. Gifts in the aggregate amount or value of less than one thousand dollars  
17 from any single source shall not be reported where, from the beginning of the reporting period  
18 until the date the report is filed, the donor engaged in no business dealings with the city. Gifts in  
19 the aggregate amount or value of less than fifty dollars from any single source shall not be  
20 reported. [For purposes of this subparagraph, the term "gift" shall not include reimbursements,  
21 as defined in subparagraph (b) of this paragraph.]

22 [9. (a)] (i)(1) List the identity and value, if reasonably ascertainable, of each  
23 interest in a trust, estate or beneficial interest held by the person reporting or his or her spouse or

1 domestic partner, including but not limited to (1) retirement plans (other than retirement plans of  
2 the state of New York or city of New York) and (2) deferred compensation plans established in  
3 accordance with the internal revenue code, where the person reporting or his or her spouse or  
4 domestic partner held a beneficial interest of one thousand dollars or more during the preceding  
5 calendar year. Do not report interests in an estate of a relative or interests in a trust or other  
6 beneficial interest established by or for a relative or by or for the estate of a relative.

7 [(b)] (2) List each assignment of income of one thousand dollars or more, and  
8 each transfer other than to a relative during the preceding calendar year for less than fair  
9 consideration of an interest of one thousand dollars or more, in a trust, estate, or other beneficial  
10 interest, securities or real property, by the person reporting, which would otherwise be required  
11 to be reported herein and is not or has not been reported.

12 [10.] (j) List any interest of one thousand dollars or more, excluding bonds and  
13 notes, held by the person reporting, his or her spouse or domestic partner or the reporting  
14 person's unemancipated child, or partnership of which any such person is a member, or  
15 corporation, ten per centum or more of the stock of which is owned or controlled by any such  
16 person, whether vested or contingent, in any contract made or executed by a state or local  
17 agency. Include the name of the entity which holds such interest and the relationship of the  
18 person reporting, or his or her spouse or domestic partner or unemancipated child, to such entity  
19 and the interest in such contract. Do not list any interest in any such contract on which final  
20 payment has been made and all obligations under the contract, except for guarantees and  
21 warranties, have been performed, provided, however, that such an interest shall be listed if there  
22 has been an ongoing dispute during the calendar year for which this statement is filed with  
23 respect to any such guarantees or warranties. Do not list any interest in a contract made or

1 executed by a state agency after public notice and pursuant to a process for competitive bidding  
2 or a process for competitive requests for proposals.

3 [11.] (k) List the name, principal address and general description or the nature of  
4 the business activity of any entity in which the person reporting or his or her spouse or domestic  
5 partner or unemancipated child had an investment of one thousand dollars or more, excluding  
6 investments in securities and interests in real property.

7 [12.] (l) List the type and market value of securities held by the person reporting  
8 or his or her spouse or domestic partner or unemancipated child from each issuing entity, valued  
9 at one thousand dollars or more at the close of the preceding calendar year, including the name of  
10 the issuing entity, exclusive of securities held by the person reporting issued by a professional  
11 corporation. Whenever an interest in securities exists through a beneficial interest in a trust, the  
12 securities held in such trust shall be listed only if the person reporting has knowledge thereof,  
13 except where the person reporting or his or her spouse or domestic partner has transferred assets  
14 to such trust for his or her benefit; in that event the securities shall be listed unless they are not  
15 ascertainable by the person reporting because the trustee is under an obligation or has been  
16 instructed in writing not to disclose the contents of the trust to the person reporting. Securities of  
17 which the person reporting or his or her spouse or domestic partner is the owner of record but in  
18 which he or she has no beneficial interest shall not be listed. Where the person or his or her  
19 spouse or domestic partner holds more than five per centum of the stock of a publicly held  
20 corporation or more than ten per centum of a privately held corporation, percentage of ownership  
21 shall be listed. List any securities owned for investment purposes by a corporation more than  
22 fifty per centum of the stock of which is owned or controlled by the person reporting or his or  
23 her spouse or domestic partner. [For purposes of this paragraph the term “securities” shall mean

1 bonds, mortgages, notes, obligations, warrants and stocks of any class, investment interests in  
2 limited or general partnerships and certificates of deposits and such other evidences of  
3 indebtedness and certificates of interest as are usually referred to as securities.] The market value  
4 for such securities shall be reported only if reasonably ascertainable and shall not be reported if  
5 the security is an interest in a general partnership that was listed in [paragraph 5] subparagraph e  
6 of this subdivision or if the security is corporate stock, not publicly traded, in a trade or business  
7 of the reporting person or his or her spouse or domestic partner.

8 [13.] (m) List the location, size, general nature, acquisition date, market value and  
9 percentage of ownership of any real property in which any vested or contingent interest of one  
10 thousand dollars or more was held by the person reporting or his or her spouse or domestic  
11 partner or unemancipated child during the preceding calendar year. List real property owned for  
12 investment purposes by a corporation more than fifty per centum of the stock of which is owned  
13 or controlled by the person reporting or his or her spouse or domestic partner. Do not list any real  
14 property which is the primary or secondary personal residence of the reporting person or his or  
15 her spouse or domestic partner, except where there is a co-owner who is other than a relative.

16 [14.] (n) List the identity of each note or account receivable or other outstanding  
17 loan in the amount of one thousand dollars or more held by the person reporting or his or her  
18 spouse or domestic partner during the preceding calendar year, including debts secured by a  
19 mortgage, and other secured and unsecured debts. List the name of the debtor, type of obligation,  
20 date due and the nature of the collateral, if any, securing payment for each such debt. Debts,  
21 notes and accounts receivable owed to the person reporting or his or her spouse or domestic  
22 partner by a relative shall not be reported.

23 [15.] (o) List each creditor to whom the person reporting or his or her spouse or

1 domestic partner was indebted, for a period of ninety consecutive days or more during the  
2 preceding calendar year, and each such creditor to whom any debt was owed on the date of  
3 filing, in an amount of five thousand dollars or more. Debts to be listed include real estate  
4 mortgages and other secured and unsecured loans. If any reportable liability has been guaranteed  
5 by any third person, list the name of such guarantor. Do not list liabilities incurred by, or  
6 guarantees made by, the person reporting or his or her spouse or domestic partner or by any  
7 proprietorship, partnership or corporation in which such person has an interest, when incurred or  
8 made in the ordinary course of trade, business or professional practice of such person. Include  
9 the name of the creditor and any collateral pledged by such individual to secure payment of any  
10 such liability. Do not list any liability to a relative or any obligation to pay maintenance in  
11 connection with a matrimonial action, alimony or child support payments. Revolving charge  
12 account information shall only be set forth if the liability thereon is in excess of five thousand  
13 dollars for a period of ninety consecutive days or more during the preceding calendar year, or if  
14 the liability thereon is in excess of five thousand dollars as of the time of filing. Any loan issued  
15 in the ordinary course of business by a financial institution to finance educational costs, the cost  
16 of home purchase or improvements for a primary or secondary residence, or purchase of a  
17 personally owned motor vehicle, household furniture or appliances shall be excluded.

18 (p) The name, title, and position of any relative of the person reporting who holds  
19 a position, whether paid or unpaid, with the city; the city agency in which such position is held;  
20 and the relationship between such relative and the person reporting.

21 [16.] (q) Whenever a “value” or “amount” is required to be reported pursuant to  
22 this section, such value or amount shall be reported as being within one of the following  
23 categories: (a) at least one thousand dollars but less than five thousand dollars; (b) at least five

1 thousand dollars but less than thirty-two thousand dollars, or such other amount as the conflicts  
2 of interest board shall set pursuant to subdivision sixteen of section twenty-six hundred one and  
3 subdivision a of section twenty-six hundred three of the charter; (c) at least thirty-two thousand  
4 dollars, or such other amount as the conflicts of interest board shall set pursuant to subdivision  
5 sixteen of section twenty-six hundred one and subdivision a of section twenty-six hundred three  
6 of the charter, but less than sixty thousand dollars; (d) at least sixty thousand dollars but less than  
7 one hundred thousand dollars; (e) at least one hundred thousand dollars but less than two  
8 hundred fifty thousand dollars; (f) at least two hundred fifty thousand dollars but less than five  
9 hundred thousand dollars; and (g) five hundred thousand dollars or more.

10 2. Uncompensated members of boards and commissions of the city. Where a  
11 report is filed by a person required to file a report by reason of membership on a board or  
12 commission of the city and such person is not entitled to compensation for such service, the  
13 report shall contain the information required by this paragraph. For purposes of filing an annual  
14 disclosure report, members of the New York city housing development corporation shall be  
15 deemed to be compensated members of a city board or commission.

16 (a) The name of the person reporting; each of his or her city titles and positions;  
17 the city agency or agencies of which the person reporting is an official, officer, or employee; his  
18 or her city employee identification number, if any; his or her office address, email address, if  
19 any, and telephone number; his or her home address, personal email address, if any, and home  
20 telephone number; whether he or she has a spouse or domestic partner and, if so, the full name of  
21 such spouse or domestic partner; and the names of all unemancipated children.

22 (b) The location, size, and general nature of any residential, commercial, retail or  
23 industrial real property that is owned by, rented to or rented by the person reporting, or his or her

1 spouse or domestic partner or unemancipated child. Only real property (i) within the city of New  
2 York or (ii) within the county of Westchester or the county of Nassau and within one quarter  
3 mile of the city of New York shall be reported. Residential property in which the person  
4 reporting or a relative resides shall not be reported. For other residential property, only the  
5 borough, city (if outside New York city), town, or village shall be reported.

6 (c) The name of each employer or business, other than the city of New York,  
7 from which the person reporting or his or her spouse or domestic partner or unemancipated child  
8 received compensation for services performed or for goods sold or produced or as a member,  
9 officer, director, or employee during the reporting period. The name of individual clients,  
10 customers or patients shall not be reported, nor shall any business in which the reporting person  
11 or his or her spouse or domestic partner or unemancipated child was an investor only. The  
12 nature of the business shall also be identified, as well as the relationship between the reporting  
13 person or his or her spouse, domestic partner, or unemancipated child and the employer or  
14 business (owner, partner, officer, director, member, employee, and/or shareholder). An  
15 employer or business shall not be reported where, from the beginning of the reporting period  
16 until the date the report is filed, the employer or business engaged in no business dealings with  
17 the agency of which the person reporting is a board or commission member.

18 (d) The name of any entity in which the person reporting or his or her spouse or  
19 domestic partner or unemancipated child has an interest that exceeds five percent of the firm or  
20 an investment of ten thousand dollars, whichever is less. The nature of the business and the type  
21 of business shall also be identified. An entity shall not be reported where, from the beginning of  
22 the reporting period until the date the report is filed, the entity engaged in no business dealings  
23 with the agency of which the person reporting is a board or commission member.

1           (e) Gifts having a value of fifty dollars or more received by the person reporting  
2 or his or her spouse or domestic partner or unemancipated child during the reporting period,  
3 including the recipient of the gift, the donor of the gift, the relationship between the recipient and  
4 the donor, and the nature of the gift. The value of separate gifts from the same or affiliated  
5 donors during the reporting period shall be aggregated.

6           A gift shall not be reported where (i) the gift is from a relative; or (ii) from the  
7 beginning of the reporting period until the date the report is filed, the donor engaged in no  
8 business dealings with the agency of which the person reporting is a board or commission  
9 member; or (iii) the gift consists of attendance, including meals and refreshments, at a meeting,  
10 public affair, function, or occasion and complies with the rules of the board governing the  
11 acceptance of such attendance, meals, or refreshments.

12           3. Members, officers and employees of city public authorities. Where a report is  
13 filed by a person required to file a report pursuant to subdivision three of section twenty-eight  
14 hundred twenty-five of the public authorities law, the report shall contain the following  
15 information:

16           (a) The name of the person reporting; the name of the local public authority,  
17 within the meaning of subdivision three of section twenty-eight hundred five of the public  
18 authorities law, of which the person reporting is a board member, officer or employee; his or her  
19 title and position with such entity; any city title and position that he or she holds; any city agency  
20 of which the person reporting is an official, officer, or employee; his or her city employee  
21 identification number, if any; his or her office address, email address, if any, and telephone  
22 number; his or her home address, personal email address, if any, and home telephone number;

1 whether he or she has a spouse or domestic partner and, if so, the full name of such spouse or  
2 domestic partner; and the names of all unemancipated children.

3 (b) The location, size, and general nature of any residential, commercial, retail or  
4 industrial real property that is owned by, rented to or rented by the person reporting, or his or her  
5 spouse or domestic partner or unemancipated child. Only real property (i) within the city of New  
6 York or (ii) within the county of Westchester or the county of Nassau and within one quarter  
7 mile of the city of New York shall be reported. Residential property in which the person  
8 reporting or a relative resides shall not be reported. For other residential property, only the  
9 borough, city (if outside New York city), town, or village shall be reported.

10 (c) The name of each employer or business, other than the city of New York,  
11 from which the person reporting or his or her spouse or domestic partner or unemancipated child  
12 received compensation for services performed or for goods sold or produced or as a member,  
13 officer, director, or employee during the reporting period. The name of individual clients,  
14 customers or patients shall not be reported, nor shall any business in which the reporting person  
15 or his or her spouse or domestic partner or unemancipated child was an investor only. The  
16 nature of the business shall also be identified, as well as the relationship between the reporting  
17 person or his or her spouse, domestic partner, or unemancipated child and the employer or  
18 business (owner, partner, officer, director, member, employee, and/or shareholder). An  
19 employer or business shall not be reported where, from the beginning of the reporting period  
20 until the date the report is filed, the employer or business engaged in no business dealings with  
21 the local public authority of which the person reporting is a board member, officer or employee.

22 (d) The name of any entity in which the person reporting or his or her spouse or  
23 domestic partner or unemancipated child has an interest that exceeds five percent of the firm or

1 an investment of ten thousand dollars, whichever is less. The nature of the business and the type  
2 of business shall also be identified. An entity shall not be reported where, from the beginning of  
3 the reporting period until the date the report is filed, the entity engaged in no business dealings  
4 with the local public authority of which the person reporting is a board member, officer or  
5 employee.

6 (e) Gifts having a value of fifty dollars or more received by the person reporting  
7 or his or her spouse or domestic partner or unemancipated child during the reporting period,  
8 including the recipient of the gift, the donor of the gift, the relationship between the recipient and  
9 the donor, and the nature of the gift. The value of separate gifts from the same or affiliated  
10 donors during the reporting period shall be aggregated.

11 A gift shall not be reported where (i) the gift is from a relative; or (ii) from the  
12 beginning of the reporting period until the date the report is filed, the donor engaged in no  
13 business dealings with the local public authority of which the person reporting is a board  
14 member, officer or employee; or (iii) the gift consists of attendance, including meals and  
15 refreshments, at a meeting, public affair, function, or occasion and complies with the rules of the  
16 board governing the acceptance of such attendance, meals, or refreshments.

17 4. Tax assessors. Where a report is filed by any person by reason of section three  
18 hundred thirty-six of the real property tax law, the report filed by any such person shall be the  
19 report prescribed by such section of the real property tax law.

20 5. Filers in multiple filing categories. If a person is required to file an annual  
21 disclosure report by more than one paragraph of subdivision b of this section, he or she shall file  
22 the most comprehensive report required by paragraphs one through four of this subdivision. The  
23 most comprehensive report shall be deemed to be the report required by paragraph one of this

1 subdivision; the second most comprehensive report shall be deemed to be the report required by  
2 paragraph four of this subdivision; the third most comprehensive report shall be deemed to be the  
3 report required by paragraphs two and three of this subdivision.

4 § 5. Subparagraph (d) of paragraph 1 of subdivision e of section 12-110 of the  
5 administrative code of the city of New York, as relettered by local law number 14 for the year  
6 2006, is amended to read as follows:

7 (d) Any information regarding any financial interests of the spouse, domestic  
8 partner or an unemancipated child of a person filing in which the person filing has no financial  
9 interest shall be withheld from public inspection, except the information disclosed pursuant to  
10 subparagraph (p) of paragraph 1 of subdivision d of this section, as an unwarranted invasion of  
11 privacy unless the conflicts of interest board determines that such information involves an actual  
12 or potential conflict of interest on the part of the person filing, subject to the factors set forth in  
13 subparagraph (b) of paragraph one of this subdivision.

14 § 6. Paragraph 2 of subdivision e of section 12-110 of the administrative code of  
15 the city of New York, as amended by local law number 14 for the year 2006, is amended to read  
16 as follows:

17 2. Requests to examine reports.

18 Whenever pursuant to this section the conflicts of interest board produces a report  
19 for public inspection, the board shall notify the person who filed the report of the production and  
20 of the identity of the person to whom such report was produced, except that no such notification  
21 shall be required if the request to examine the report is made by the department of investigation  
22 or any governmental unit, or component thereof, which performs as one of its principal functions  
23 any activity pertaining to the enforcement of criminal laws, provided that such report is

1 requested solely for a law enforcement function. Nothing in this section shall preclude the  
2 conflicts of interest board from disclosing any and all information in [a financial] an annual  
3 disclosure report to the department of investigation or any other governmental unit, or  
4 component thereof, which performs as one of its principal functions any activity pertaining to the  
5 enforcement of criminal laws, provided that such report is requested solely for a law enforcement  
6 function.

7 § 7. Subdivision f of section 12-110 of the administrative code of the city of New  
8 York, as added by local law number 43 for the year 2003, is amended to read as follows:

9 f. Retention or reports. Reports filed pursuant to this section shall be retained by  
10 the conflicts of interest board for a period of two years following the termination of the public  
11 employment of the person who filed the report. In the case of candidates for office who have  
12 filed reports pursuant to this section and who were not elected, the reports shall be retained by  
13 the board for a period of two years following the day of an election on which the candidates were  
14 defeated. Notwithstanding the foregoing, the board, in consultation with the department of  
15 records and information services and the department of investigation, may establish by rule a  
16 different period or periods of retention of [financial] annual disclosure reports which takes into  
17 account the need for efficient records management and the need to retain such reports for a  
18 reasonable period for investigatory and other purposes. Such reports shall thereafter be  
19 destroyed by the board unless a request for public disclosure of an item contained in such report  
20 is pending. In lieu of the destruction of such reports, the board, in its discretion, may establish  
21 procedures providing for their return to the persons who filed them.

1           § 8. Paragraphs 1 and 3 of subdivision g of section 12-110 of the administrative  
2 code of the city of New York, as added by local law number 43 for the year 2003, are amended  
3 to read as follows:

4           1. Any person required to file a report pursuant to this section who has not so filed  
5 at the end of one week after the date required for filing shall be subject to a fine of not less than  
6 two hundred fifty dollars or more than ten thousand dollars. Factors to be considered by the  
7 conflicts of interest board in determining the amount of the fine shall include but not be limited  
8 to the person's failure in prior years to file a report in a timely manner, and the length of the  
9 delay in filing. In addition, within two [weeks] months after the date required for filing, the  
10 conflicts of interest board shall inform the appropriate agency and the commissioner of  
11 investigation of the failure to file of any such person.

12           3. Any intentional and willful unlawful disclosure of confidential information that  
13 is contained in a report filed in accordance with this section, by a city officer or employee or by  
14 any other person who has obtained access to such a report or confidential information contained  
15 therein, shall constitute a misdemeanor punishable by imprisonment for not more than one year  
16 or a fine not to exceed one thousand dollars, or by both, and shall constitute grounds for  
17 imposition of disciplinary penalties, including removal from office in the manner provided by  
18 law.

19           § 9. This law shall take effect immediately, provided, however, that reports filed  
20 pursuant to paragraphs 2 and 3 of subdivision d shall first be filed in 2013 for calendar year  
21 2012.

22  
23 [5/15/2012]