

## FINANCIAL DISCLOSURE LEGISLATIVE HISTORY FROM 1975 TO 2006

<u>LOCAL LAW</u>	<u>YEAR</u>	<u>ACTIONS</u>
<a href="#">1</a>	1975	<ul style="list-style-type: none"><li>• Amended administrative code to require all elected officials to file a financial disclosure report no later than June 30 of each year, except in the year in which such elected official is a candidate for re-election or a candidate for other offices, and in that event, such elected official, as a candidate, shall file on or before the last day for filing his or her designating petitions pursuant to the election law.</li><li>• Amended administrative code to require all candidates for elected office to file such report on or before the last day for filing his or her designating petitions pursuant to the election law.</li><li>• Amended administrative code to require each head of an administration, each deputy administrator, assistant administrator, each agency head or Board member of such agency, commissioner, deputy commissioner, assistant commissioner and any city employee whose salary is \$25,000 or more to file such report no later than June 30 of each year.</li><li>• Amended administrative code so that reports filed are maintained by the city clerk and shall be made available to the public.</li><li>• Amended administrative code so that any intentional violation of this section shall constitute a misdemeanor punishable by imprisonment for not more than one year or by a fine not to exceed \$1,000 or by both.</li></ul>
<a href="#">48</a>	1979	<ul style="list-style-type: none"><li>• Amended administrative code to permit any person required to file a report, at the time the report is filed or anytime thereafter (except when the request for inspection is pending), to submit a request to withhold any item from public inspection on the ground that such inspection is an invasion of personal privacy. Criteria were established for reviewing such requests.</li><li>• Amended administrative code to require that whenever a request is made by a member of the public to examine a report, whether a privacy request has been made or not, the city clerk notify the filer.</li></ul>

- Amended administrative code to require all reports filed to be kept for two years following termination of public employment of the person who filed.
- Amended administrative code to require that elected officials file reports no later than July 1 of each year, except in the year in which such elected official is a candidate for re-election or a candidate for other offices, and in that event, such elected official, as a candidate, shall file on or before the last day for filing his designating petitions pursuant to the election law.
- Raised salary threshold to \$30,000.

[27](#)

1984

- Amended administrative code to require filing by all members of the Mayor’s Management Plan.
- Amended administrative code to include filers from the Health and Hospitals Corporation.
- Raised salary threshold to \$42,000.

[16](#)

1986

- Amended administrative code concerning questions relating to identification of non-city employer or business, non-city income, beneficial interests, securities, real estate, and money owed.
- Amended administrative code to excuse required notification to filer if request to examine report is made by IG /DOI.
- Amended administrative code to withhold from public inspection any information regarding financial interests of a spouse of filer in which the person filing has no financial interest.
- Amended administrative code to require amendments and changes made to report after filing to be on a separate form and to contain corresponding page and item numbers and signature of filer; the changes can be made only by filer.
- Amended administrative code to require elected officials to file financial disclosure report on May 1 of each year.
- Amended administrative code to include as required filers “each city employee whose duties directly involve the negotiation, authorization or approval of contracts, leases, franchises, revocable consents, concessions and applications for zoning changes, variances and special permits, without regard to civil service status, membership in the Management Plan or salary.”

- Amended administrative code to change filing due date from not later than July 1<sup>st</sup> to May 1 of each year for all filers.
- Amended administrative code to require the Commissioner of Investigation, in consultation with each agency head, shall determine which persons occupy the positions involving contract duties and shall inform these employees of the obligation to file no later than December 31 of each year.
- Amended administrative code to require that all those required to file financial disclosure following separation from service file a report for the portion of the last calendar year in which he or she served in his or her position within 60 days of his or separation from service or on May 1 next succeeding, whichever is earlier. In addition, each such officer or employee who leaves service prior to May 1 shall also file a report for the previous calendar year on May 1.
- Amended administrative code to make a failure to file, failure to include assets or liabilities, or a misstatement of assets or liabilities shall both a misdemeanor and grounds for imposition of disciplinary penalties, including removal from office.
- Raised salary threshold to \$47,000.

[18](#)            1987

- Raised salary threshold to \$49,000.

[9](#)                1990

- Amended administrative code to substitute Conflicts of Interest Board for City Clerk so that COIB administers Financial Disclosure law.
- Raised salary threshold to \$57,650.

[84](#)              1990

- Amended administrative code to include “local party official,” which includes any chairman of a county committee or his or her successor who received compensation or expenses or both of \$30,000 or more, “county leader,” or “chairman of executive committee,” who received compensation or expenses as described above, as filers.
- Amended administrative code to require the Conflicts of Interest Board to establish procedures for consideration of

privacy requests. The Board is obligated to inform the person of his or her right to seek judicial review.

- Amended administrative code to require the Board to promulgate rules establishing procedures for an extension of the filing period.
- Amended administrative code to require the Board to obtain from the Board of Elections lists of all candidates for elected positions.
- Amended administrative code to enable the Board to assess a person violating provisions a civil penalty in an amount not to exceed \$10,000.
- Amended administrative code concerning the definition of “unemancipated child,” and questions regarding regulated professions, positions, political positions, non-city income, deferred income, payments for city-related travel, gifts, transfers of money or property, investments in a business, securities, real estate, non-city or non-state employer or business, and interest in government contracts.
- Amended administrative code to change the categories of value amounts in the financial disclosure report.

[25](#) 1993

- Raised salary threshold to \$61,000.

[6](#) 1994

- Raised salary threshold to \$62,300.

[28](#) 1995

- Raised salary threshold to \$64,200.

[19](#) 1998

- Raised salary threshold to \$66,100.

[27](#) 1998

- Amended administrative code to include domestic partners to any provisions applicable to filer’s spouse.

[13](#) 1999

- Raised salary threshold to \$68,100.

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| <a href="#"><u>16</u></a> | 2000 | <ul style="list-style-type: none"><li>• Raised salary threshold to \$72,200.</li></ul>  |
| <a href="#"><u>5</u></a>  | 2002 | <ul style="list-style-type: none"><li>• Raised salary threshold to \$83,500.</li></ul>  |
| <a href="#"><u>43</u></a> | 2003 | <ul style="list-style-type: none"><li>• Amended administrative code to eliminate filing by those in the Mayor’s Management Plan titles M1-M3 not otherwise required to file.</li><li>• Amended administrative code to replace the salary threshold with a requirement that policymakers file.</li><li>• Amended administrative code to include the NYC Industrial Development Agency, District Attorneys and Special Narcotics Prosecutor offices as agencies employing city employees subject to the financial disclosure law.</li><li>• Amended administrative code to authorize the Conflicts of Interest Board to require filing in electronic form (“e-filing”), and mandate e-filing as of 2006.</li><li>• Amended administrative code to conform financial disclosure law to state law by eliminating “directly” that modified “involved” for contract negotiators, transfer from DOI to agencies (with COIB review) designation of contracting filers, and authorize such filers to appeal their filing status to COIB. Required COIB to adopt rules establishing procedures for employees to seek review of their agency’s determination that they fall within this filing category.</li><li>• Amended administrative code to require filing by write-in candidates and candidates filling vacancies.</li><li>• Amended administrative code to replace Mayor’s Management Plan filing requirement for Council and District Attorney employees with a filing requirement for employees in those agencies who exercise policymaking responsibilities or perform duties similar to managerial employees in other agencies.</li><li>• Amended administrative code to make explicit that safety and security concerns are grounds for withholding from public inspection information in a financial disclosure report.</li><li>• Amended administrative code to make explicit that disclosure of spousal information in a financial disclosure report is subject to privacy, safety, and security concerns.</li></ul> |

- Amended administrative code to make it a misdemeanor to intentionally and willfully disclose confidential information contained in a financial disclosure report.
- Amended administrative code to combine the annual report and termination report for employees leaving before May 1.
- Amended administrative code to change from December 31 to the filing deadline May 1 the date for notifying employees involved in contracting, etc. of their obligation to file.
- Amended administrative code to require public servants to comply with the financial disclosure law prior to receiving their final paycheck and/or lump sum payment.
- Amended administrative code to raise the late filing penalty from \$100 to a minimum of \$250 and a maximum of \$10,000.
- Amended administrative code to change the categories of value amounts in the financial disclosure report.
- Amended administrative code to replace limitation of “as a regular and significant part of the business or activity of said entity” with “non-ministerial” in the requirement that the filer disclose business that the filer’s outside interests have with state or local agencies.
- Amended administrative code to make certain technical amendments (e.g. adding subparagraph numbers to list of types of filers and placing all definitions in a single subdivision) and reorganize section 12-110.
- Amended administrative code to revise Administrative Code 3-703 (Campaign Finance Act). This amendment prohibits candidates for elective office from receiving matching funds from the Campaign Finance Board until and unless they file their required financial disclosure forms with the COIB.

- Amended administrative code to include employees of New York City Housing Development Corporation in definition of “city employees” as required filers.
- Amended administrative code to amend categories of required filers to include members of the Board of New York City Housing Development Corporation, who shall be deemed to be compensated members.
- Amended administrative code to amend categories of required filers to include employees of the Mayor’s office, City Council, District Attorney’s office or the office of the

Special Narcotics Prosecutor and any other agency that does not employ M-level Mayor's Management Plan indicators for its managers to include policymakers as determined by the appointing authority of the agency.

- Amended administrative code to amend definition of "relative" to include spouse, domestic partner, parent, grandparent, child, stepchild or stepparent.
- Amended administrative code to require request for reports to be a written request on such form as the Board shall prescribe.
- Amended administrative code to require COIB to provide written determination to filer of the Board's determination of a privacy request. Requires COIB to advise filer of his or her right to seek review of such determination by the Supreme Court and that COIB will not release information in report until ten days after mailing the notification.
- Amended administrative code to provide that, whether or not a filer submits a privacy request, COIB may grant privacy to any information in the report, upon a finding by the Board that the release of such information would constitute a risk to the safety or security of any person.
- Amended administrative code to require that, if a filer submits an amendment, both the original response and the amendment shall be available for public inspection.
- Amended administrative code to amend definition of "reimbursements" to mean any travel-related expenses provided by non-governmental sources whether directly or as repayment for activities relating to the reporting person's official duties.
- Amended administrative code to require that, when a request is received for a filer's report, COIB will notify the filer of the production of the report and the identity of the person to whom such report was produced, except that no such notification shall be required if the request to examine the report is made by the department of investigation, or any governmental unit, or component thereof, which performs as one of its principal functions any activity pertaining to the enforcement of criminal laws, provided that such report is requested solely for a law enforcement function.