

description of the education and training conducted pursuant to the requirements of this chapter, a statistical summary and evaluation of complaints and referrals received and their disposition, such legislative and administrative recommendations as the board deems appropriate, the rules of the board, and the index of opinions and orders of that year. The report, which shall be made available to the public, shall not contain information, which, if disclosed, would constitute an unwarranted invasion of the privacy of a public servant.

j. Revision. The board shall review the provisions of this chapter and shall recommend to the council from time to time such changes or additions as it may consider appropriate or desirable. Such review and recommendation shall be made at least once every five years.

k. Except as otherwise provided in this chapter, the records, reports, memoranda and files of the board shall be confidential and shall not be subject to public scrutiny.

Sec. 2604. Prohibited interests and conduct. a. Prohibited interests in firms engaged in business dealings with the city.

1. Except as provided in paragraph three below,

(a) no public servant shall have an interest in a firm which such public servant knows is engaged in business dealings with the agency served by such public servant; provided, however, that, subject to paragraph one of subdivision b of this section, an appointed member of a community board shall not be prohibited from having an interest in a firm which may be affected by an action on a matter before the community or borough board, and

(b) no regular employee shall have an interest in a firm which such regular employee knows is engaged in business dealings with the city, except if such interest is in a firm whose shares are publicly traded, as defined by rule of the board.

2. Prior to acquiring or accepting an interest in a firm whose shares are publicly traded, a public servant may submit a written request to the head of the agency served by the public servant for a determination of whether such firm is engaged in business dealings with such agency. Such determination shall be in writing, shall be rendered expeditiously and shall be binding on the city and the public servant with respect to the prohibition of subparagraph a of paragraph one of this subdivision.

3. An individual who, prior to becoming a public servant, has an ownership interest which would be prohibited by paragraph one above; or a public servant who has an ownership interest and did not know of a business dealing which would cause the interest to be one prohibited by paragraph one above, but has subsequently gained knowledge of such business dealing; or a public servant who holds an ownership interest which, subsequent to the public servant's acquisition of the interest, enters into a business dealing which would cause the ownership interest to be one prohibited by paragraph one above; or a public servant who, by operation of law, obtains an ownership interest which would be prohibited by paragraph one above shall, prior to becoming a

public servant or, if already a public servant, within ten days of knowing of the business dealing, either:

- (a) divest the ownership interest; or
- (b) disclose to the board such ownership interest and comply with its order.

4. When an individual or public servant discloses an interest to the board pursuant to paragraph three of this subdivision, the board shall issue an order setting forth its determination as to whether or not such interest, if maintained, would be in conflict with the proper discharge of the public servant's official duties. In making such determination, the board shall take into account the nature of the public servant's official duties, the manner in which the interest may be affected by any action of the city, and the appearance of conflict to the public. If the board determines a conflict exists, the board's order shall require divestiture or such other action as it deems appropriate which may mitigate such a conflict, taking into account the financial burden of any decision on the public servant.

5. For the purposes of this subdivision, the agency served by

(a) an elected official, other than a member of the council, shall be the executive branch of the city government,

(b) a public servant who is a deputy mayor, the director of the office of management and budget, personnel director, commissioner of general services, corporation counsel, commissioner of finance, commissioner of investigation or chair of the city planning commission, or who serves in the executive branch of city government and is charged with substantial policy discretion involving city-wide policy as determined by the board, shall be the executive branch of the city government,

(c) a public servant designated by a member of the board of estimate to act in the place of such member as a member of the board of estimate, shall include the board of estimate, and

(d) a member of the council shall be the legislative branch of the city government.

6. For the purposes of subdivisions a and b of section twenty-six hundred six, a public servant shall be deemed to know of a business dealing with the city if such public servant should have known of such business dealing with the city.

b. Prohibited conduct. 1. A public servant who has an interest in a firm which is not prohibited by subdivision a of this section, shall not take any action as a public servant particularly affecting that interest, except that

(a) in the case of an elected official, such action shall not be prohibited, but the elected official shall disclose the interest to the conflicts of interest board, and on the official records of the council or the board of estimate in the case of matters before those bodies,

(b) in the case of an appointed community board member, such action shall not be prohibited, but no member may vote on any matter before the community or borough board which

may result in a personal and direct economic gain to the member or any person with whom the member is associated, and

(c) in the case of all other public servants, if the interest is less than ten thousand dollars, such action shall not be prohibited, but the public servant shall disclose the interest to the board.

2. No public servant shall engage in any business, transaction or private employment, or have any financial or other private interest, direct or indirect, which is in conflict with the proper discharge of his or her official duties.

3. No public servant shall use or attempt to use his or her position as a public servant to obtain any financial gain, contract, license, privilege or other private or personal advantage, direct or indirect, for the public servant or any person or firm associated with the public servant.

4. No public servant shall disclose any confidential information concerning the property, affairs or government of the city which is obtained as a result of the official duties of such public servant and which is not otherwise available to the public, or use any such information to advance any direct or indirect financial or other private interest of the public servant or of any other person or firm associated with the public servant; provided, however, that this shall not prohibit any public servant from disclosing any information concerning conduct which the public servant knows or reasonably believes to involve waste, inefficiency, corruption, criminal activity or conflict of interest.

5. No public servant shall accept any valuable gift, as defined by rule of the board, from any person or firm which such public servant knows is or intends to become engaged in business dealings with the city, except that nothing contained herein shall prohibit a public servant from accepting a gift which is customary on family and social occasions.

6. No public servant shall, for compensation, represent private interests before any city agency or appear directly or indirectly on behalf of private interests in matters involving the city. For a public servant who is not a regular employee, this prohibition shall apply only to the agency served by the public servant.

7. No public servant shall appear as attorney or counsel against the interests of the city in any litigation to which the city is a party, or in any action or proceeding in which the city, or any public servant of the city, acting in the course of official duties, is a complainant, provided that this paragraph shall not apply to a public servant employed by an elected official who appears as attorney or counsel for that elected official in any litigation, action or proceeding in which the elected official has standing and authority to participate by virtue of his or her capacity as an elected official, including any part of a litigation, action or proceeding prior to or at which standing or authority to participate is determined. This paragraph shall not in any way be construed to expand or limit the standing or authority of any elected official to participate in any litigation, action or proceeding, nor shall it in any way

affect the powers and duties of the corporation counsel. For a public servant who is not a regular employee, this prohibition shall apply only to the agency served by the public servant.

8. No public servant shall give opinion evidence as a paid expert against the interests of the city in any civil litigation brought by or against the city. For a public servant who is not a regular employee, this prohibition shall apply only to the agency served by the public servant.

9. No public servant shall,

(a) coerce or attempt to coerce, by intimidation, threats or otherwise, any public servant to engage in political activities, or

(b) request any subordinate public servant to participate in a political campaign. For purposes of this subparagraph, participation in a political campaign shall include managing or aiding in the management of a campaign, soliciting votes or canvassing voters for a particular candidate or performing any similar acts which are unrelated to the public servant's duties or responsibilities. Nothing contained herein shall prohibit a public servant from requesting a subordinate public servant to speak on behalf of a candidate, or provide information or perform other similar acts, if such acts are related to matters within the public servant's duties or responsibilities.

10. No public servant shall give or promise to give any portion of the public servant's compensation, or any money, or valuable thing to any person in consideration of having been or being nominated, appointed, elected or employed as a public servant.

11. No public servant shall, directly or indirectly,

(a) compel, induce or request any person to pay any political assessment, subscription or contribution, under threat of prejudice to or promise of or to secure advantage in rank, compensation or other job-related status or function,

(b) pay or promise to pay any political assessment, subscription or contribution in consideration of having been or being nominated, elected or employed as such public servant or to secure advantage in rank, compensation or other job-related status or function, or

(c) compel, induce or request any subordinate public servant to pay any political assessment, subscription or contribution.

12. No public servant, other than an elected official, who is a deputy mayor, or head of an agency or who is charged with substantial policy discretion as defined by rule of the board, shall directly or indirectly request any person to make or pay any political assessment, subscription or contribution for any candidate for an elective office of the city or for any elected official who is a candidate for any elective office; provided that nothing contained in this paragraph shall be construed to prohibit such public servant from speaking on behalf of any such candidate or elected official at an occasion where a request for a political assessment, subscription or contribution may be made by others.

13. No public servant shall receive compensation except from the city for performing any official duty or accept or receive any gratuity from any person whose interests may be affected by the public servant's official action.

14. No public servant shall enter into any business or financial relationship with another public servant who is a superior or subordinate of such public servant.

c. This section shall not prohibit:

1. an elected official from appearing without compensation before any city agency on behalf of constituents or in the performance of public official or civic obligations;

2. a public servant from accepting or receiving any benefit or facility which is provided for or made available to citizens or residents, or classes of citizens or residents, under housing or other general welfare legislation or in the exercise of the police power;

3. a public servant from obtaining a loan from any financial institution upon terms and conditions available to members of the public;

4. any physician, dentist, optometrist, podiatrist, pharmacist, chiropractor or other person who is eligible to provide services or supplies under title eleven of article five of the social services law and is receiving any salary or other compensation from the city treasury, from providing professional services and supplies to persons who are entitled to benefits under such title, provided that, in the case of services or supplies provided by those who perform audit, review or other administrative functions pursuant to the provisions of such title, the New York state department of health reviews and approves payment for such services or supplies and provided further that there is no conflict with their official duties; nothing in this paragraph shall be construed to authorize payment to such persons under such title for services or supplies furnished in the course of their employment by the city;

5. any member of the uniformed force of the police department from being employed in the private security field, provided that such member has received approval from the police commissioner therefor and has complied with all rules and regulations promulgated by the police commissioner relating to such employment;

6. a public servant from acting as attorney, agent, broker, employee, officer, director or consultant for any not-for-profit corporation, or association, or other such entity which operates on a not-for-profit basis, interested in business dealings with the city, provided that:

(a) such public servant takes no direct or indirect part in such business dealings;

(b) such not-for-profit entity has no direct or indirect interest in any business dealings with the city agency in which the public servant is employed and is not subject to supervision, control or regulation by such agency, except where it is determined by the head of an agency, or by the mayor where the public servant is an agency head, that such activity is in furtherance of the purposes and interests of the city;

(c) all such activities by such public servant shall be performed at times during which the public servant is not required to perform services for the city; and

(d) such public servant receives no salary or other compensation in connection with such activities;

7. a public servant, other than elected officials, employees in the office of property management of the department of housing preservation and development, employees in the division of real property of the department of general services and the commissioners, deputy commissioners, assistant commissioners and others of equivalent ranks in such departments, or the successors to such departments, from bidding on and purchasing any city-owned real property at public auction or sealed bid sale, or from purchasing any city-owned residential building containing six or less dwelling units through negotiated sale, provided that such public servant, in the course of city employment, did not participate in decisions or matters affecting the disposition of the city property to be purchased and has no such matters under active consideration; or

8. a public servant from participating in collective bargaining or from paying union or shop fees or dues or, if such public servant is a union member, from requesting a subordinate public servant who is a member of such union to contribute to union political action committees or other similar entities.

d. Post-employment restrictions. 1. No public servant shall solicit, negotiate for or accept any position (i) from which, after leaving city service, the public servant would be disqualified under this subdivision, or (ii) with any person or firm who or which is involved in a particular matter with the city, while such public servant is actively considering, or is directly concerned or personally participating in such particular matter on behalf of the city.

2. No former public servant shall, within a period of one year after termination of such person's service with the city, appear before the city agency served by such public servant; provided, however, that nothing contained herein shall be deemed to prohibit a former public servant from making communications with the agency served by the public servant which are incidental to an otherwise permitted appearance in an adjudicative proceeding before another agency or body, or a court, unless the proceeding was pending in the agency served during the period of the public servant's service with that agency. For the purposes of this paragraph, the agency served by a public servant designated by a member of the board of estimate to act in the place of such member as a member of the board of estimate, shall include the board of estimate.

3. No elected official, nor the holder of the position of deputy mayor, director of the office of management and budget, personnel director, commissioner of general services, corporation counsel, commissioner of finance, commissioner of investigation or chair of the city planning commission shall, within a period of one year after termination of such person's employment with the city, appear before any agency in the branch of city government served by such person. For the purposes of this

paragraph, the legislative branch of the city consists of the council and the offices of the council, and the executive branch of the city consists of all other agencies of the city, including the office of the president of the council.

4. No person who has served as a public servant shall appear, whether paid or unpaid, before the city, or receive compensation for any services rendered, in relation to any particular matter involving the same party or parties with respect to which particular matter such person had participated personally and substantially as a public servant through decision, approval, recommendation, investigation or other similar activities.

5. No public servant shall, after leaving city service, disclose or use for private advantage any confidential information gained from public service which is not otherwise made available to the public; provided, however, that this shall not prohibit any public servant from disclosing any information concerning conduct which the public servant knows or reasonably believes to involve waste, inefficiency, corruption, criminal activity or conflict of interest.

6. The prohibitions on negotiating for and having certain positions after leaving city service, shall not apply to positions with or representation on behalf of any local, state or federal agency.

7. Nothing contained in this subdivision shall prohibit a former public servant from being associated with or having a position in a firm which appears before a city agency or from acting in a ministerial matter regarding business dealings with the city.

e. Allowed positions. A public servant or former public servant may hold or negotiate for a position otherwise prohibited by this section, where the holding of the position would not be in conflict with the purposes and interests of the city, if, after written approval by the head of the agency or agencies involved, the board determines that the position involves no such conflict. Such findings shall be in writing and made public by the board.

Sec. 2605. Reporting. No public servant shall attempt to influence the course of any proposed legislation in the legislative body of the city without publicly disclosing on the official records of the legislative body the nature and extent of any direct or indirect financial or other private interest the public servant may have in such legislation.

Section 2606. Penalties. a. Upon a determination by the board that a violation of section twenty-six hundred four or twenty-six hundred five of this chapter, involving a contract work, business, sale or transaction, has occurred, the board shall have the power, after consultation with the head of the agency involved, or in the case of an agency head, with the mayor, to render forfeit and void the transaction in question.

b. Upon a determination by the board that a violation of section twenty-six hundred four or twenty-six hundred five of this chapter has occurred, the board, after consultation with the head of the agency involved, or in the case of an agency head,

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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**

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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.

employees in the department of citywide administrative services who perform functions relating to citywide personnel issues to be subject to this provision.

§23. Subdivision c of section 1136 of the charter of the city of New York, as renumbered by vote of the electorate at a general election held on November 7, 1989, is amended to read as follows:

c. The department of [personnel] *citywide administrative services* shall make available such copies of chapters sixteen and forty-nine as are necessary to fulfill the requirements of this section.

§24. Paragraph b of subdivision 2 of section 1301 of the charter of the city of New York is amended to read as follows:

b. to have exclusive charge and control of the wharf property and water front owned by the city and of the building, rebuilding, repairing, altering, maintaining, strengthening, protecting, cleaning, dredging, and deepening of such wharf property and water front property; provided, that the commissioner may, subject to the approval of the mayor, designate parcels of wharf property and water front property to be managed pursuant to this paragraph and leased or permitted pursuant to paragraphs g and h of this subdivision by the commissioner of [general] *citywide administrative services*. Any such designation shall be made in writing and may be withdrawn by the commissioner subject to the approval of the mayor;

§25. Paragraph j of subdivision 6 of section 1802 of the charter of the city of New York, as renumbered and amended by vote of the electorate at a general election held on November 7, 1989, is amended to read as follows:

(j) sell, lease, exchange or otherwise dispose of residential real property of the city, provided that no such sale, lease, exchange or other disposition shall be authorized without the approval of the mayor and until a public hearing has been held with respect to such action after the publishing of notice in the City Record at least thirty days in advance of such hearing, and provided further that any disposition by public auction shall be conducted by the department of [general] *citywide administrative services*, except as otherwise provided by law;

§26. Subdivision l of section 1803 of the charter of the city of New York is amended to read as follows:

l. Housing maintenance inspectors shall have such qualifications as shall be prescribed by the department of [personnel] *citywide administrative services* after consultation with the commissioner.

§27. Subparagraph (b) of paragraph 5 of subdivision a of section 2604 of the charter of the city of New York, as added by vote of the electorate at a general election held on November 8, 1988, is amended to read as follows:

(b) a public servant who is a deputy mayor, the director of the office of management and budget, [personnel director,] commissioner of [general] *citywide administrative services*, corporation counsel, commissioner of finance, commissioner of investigation or chair of the city planning commission, or who serves in the executive branch of city government and is charged with substantial policy discretion involving city-wide policy as determined by the board, shall be the executive branch of the city government,

§28. Paragraph 7 of subdivision c of section 2604 of the charter of the city of New York, as added by vote of the electorate at a general election held on November 8, 1988, is amended to read as follows:

7. a public servant, other than elected officials, employees in the office of property management of the department of housing preservation and development, employees in the [division of real property of the] department of [general] *citywide administrative services who are designated by the commissioner of such department pursuant to this*

paragraph, and the commissioners, deputy commissioners, assistant commissioners and others of equivalent ranks in such departments, or the successors to such departments, from bidding on and purchasing any city-owned real property at public auction or sealed bid sale, or from purchasing any city-owned residential building containing six or less dwelling units through negotiated sale, provided that such public servant, in the course of city employment, did not participate in decisions or matters affecting the disposition of the city property to be purchased and has no such matters under active consideration; *The commissioner of citywide administrative services shall designate all employees of the department of citywide administrative services whose functions relate to citywide real property matters to be subject to this paragraph;* or

§29. Paragraph 3 of subdivision d of section 2604 of the charter of the city of New York, as added by vote of the electorate at a general election held on November 8, 1988, is amended to read as follows:

3. No elected official, nor the holder of the position of deputy mayor, director of the office of management and budget, [personnel director,] commissioner of [general] *citywide administrative services*, corporation counsel, commissioner of finance, commissioner of investigation or chair of the city planning commission shall, within a period of one year after termination of such person's employment with the city, appear before any agency in the branch of city government served by such person. For the purposes of this paragraph, the legislative branch of the city consists of the council and the offices of the council, and the executive branch of the city consists of all other agencies of the city, including the office of the [president of the council] *public advocate*.

§30. Section 3-111 of the administrative code of the city of New York, as added by local law number 60 for the year 1987, is REPEALED.

§31. Subdivision a of section 3-204.1 of the administrative code of the city of New York is amended to read as follows:

a. The commissioner of [general] *citywide administrative services* in the case of the disposal of surplus old desks and chairs no longer needed for use of the city council in the councilmanic chambers shall transfer such chairs and desks to the control and custody of the city clerk, clerk of the council.

§32. Subdivision (a) section 3-204.2 of the administrative code of the city of New York is amended to read as follows:

(a) The city clerk, clerk of the council shall have the power at the request of any member of the council who shall hereafter resign or whose term of office shall hereafter terminate, or a surviving spouse of such member, to sell and transfer to such member or to such surviving spouse the chair last occupied by such member in the councilmanic chamber for the sum of thirty-five dollars, depositing any monies received from such sale with the commissioner of finance; provided however, that a written request therefor accompanied by the payment herein provided be submitted to the city clerk, clerk of the council within sixty days after any such resignation or termination of term of office. The commissioner of [general] *citywide administrative services* shall upon notice from the city clerk, clerk of the council make prompt replacement of such chair so transferred or sold.

§33. Subdivisions a and b of section 4-105 of the administrative code of the city of New York, as amended by local law number 8 for the year 1991, are amended to read as follows:

a. Whenever the city shall have any right, title or interest in and to the land lying within a private street, however acquired, or within a street, closed or discontinued in whole or in part, the owner of land fronting thereon at the time of acquisition of such private street or at the time of such closing or discontinuance, or the owner's heirs or assigns, may acquire, such right, title and interest in and to any parcel or parcels of such

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

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

§ 6. Paragraphs 1 through 3 of subdivision d of section 2604 of the New York city charter, as added by a vote of the electors on November 8, 1988, paragraph 3 of such subdivision as amended by local law number 59 for the year 1996, are amended to read as follows:

1. No public servant shall solicit, negotiate for or accept any position:

[(i)] (a) from which, after leaving city service, the public servant would be disqualified under this subdivision [,] ; or

[(ii)] (b) with any person or firm who or which is involved in a particular matter with the city, while such public servant is actively considering, or is directly concerned or personally participating in such particular matter on behalf of the city.

2. (a) No former public servant, other than those public servants listed in subparagraphs (b) and (c) of this paragraph, shall, within a period of one year after termination of such person's service with the city, appear before the city agency served by such public servant [, provided, however, that nothing contained herein shall be deemed to prohibit a former public servant from

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making communications with the agency served by the public servant which are incidental to an otherwise permitted appearance in an adjudicative proceeding before another agency or body, or a court, unless the proceeding was pending in the agency served during the period of the public servant's service with that agency. For the purposes of this paragraph, the agency served by a public servant designated by a member of the board of estimate to act in the place of such member as a member of the board of estimate, shall include the board of estimate.

3. No elected official, nor the holder of the position of deputy mayor, director of the office of management and budget, commissioner of citywide administrative services, corporation counsel, commissioner of finance, commissioner of investigation or chair of the city planning commission shall, within a period of one year after termination of such person's employment with the city, appear before any agency in the branch of city government served by such person].

(b) The following former public servants shall not, within a period of two years after termination of their service with the city, appear before the city agency they served:

(1) any head of an agency that is not a board or commission, other than the agency heads listed in subparagraph (c) of this paragraph:

(2) the executive director or the highest ranking public servant employed by a board or commission; and

(3) any paid member of a board or commission.

(c) The following former public servants shall not, within a period of two years after termination of their service with the city, appear before any agency in the branch of city government they served:

(1) any elected official; and

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(2) the holder of the position of deputy mayor, director of the office of management and budget, commissioner of citywide administrative services, corporation counsel, commissioner of finance, commissioner of investigation and chair of the city planning commission.

For the purposes of this [paragraph] subparagraph (c), the legislative branch of the city consists of the council and the offices of the council, and the executive branch of the city consists of all other agencies of the city, including the office of the public advocate.

3. The prohibitions set forth in subparagraphs (a), (b) and (c) of paragraph 2 of this subdivision shall not be deemed to prohibit a former public servant from making communications with the agency served by the public servant, or with any agency in the branch of city government served by the public servant, as applicable, which are incidental to an otherwise permitted appearance in an adjudicative proceeding before another agency or body, or a court, unless the proceeding was pending in the agency served during the period of the public servant's service with such agency or in any agency in the branch of city government served during the period of the public servant's service, as applicable.

§ 7. Section 1152 of the New York city charter is amended by adding a new subdivision m, paragraph (3) to read as follows:

m. (3) (a) The amendments to the charter adding a new section 20-h, approved by the electors on November 5, 2019, shall take effect on March 31, 2020.

(b) The amendments to the charter amending sections 31 and 391 and subdivision b of section 392, approved by the electors on November 5, 2019, shall take effect immediately upon certification that the electors have approved such amendments to the charter; provided, however, that if the office of the corporation counsel is vacant on such effective date, such vacancy will be deemed to have occurred on such effective date.

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2025**

No. 11

Introduced by Council Members Restler, Won, Gutiérrez, De La Rosa, Ossé, Holden, Krishnan, Sanchez, Williams, Avilés, Hanif, Hudson, Brewer, Cabán, Nurse, Rivera, Banks and Brannan.

A LOCAL LAW

To amend the New York city charter, in relation to post-employment activities of certain former public servants

Be it enacted by the Council as follows:

Section 1. Paragraph 2 of subdivision d of section 2604 of the New York city charter, as amended by a vote of the electors on November 5, 2019, is amended to read as follows:

2. (a) No former public servant, other than those public servants listed in subparagraphs (b), [and] (c), and (d) of this paragraph, shall, within a period of one year after termination of such person's service with the city, appear before the city agency served by such public servant.

(b) The following former public servants shall not, within a period of two years after termination of their service with the city, appear before the city agency they served:

(1) any head of an agency that is not a board or commission, other than the agency heads listed in subparagraph [(c)] (d) of this paragraph;

(2) the executive director or the highest ranking public servant employed by a board or commission; and

(3) any paid member of a board or commission.

Local Law 11/2025

(c) *The following former public servants shall not, within a period of one year after termination of their service with the city, appear before any agency in the branch of city government they served: chief of staff to a deputy mayor and deputy chief of staff to the mayor.*

(d) The following former public servants shall not, within a period of two years after termination of their service with the city, appear before any agency in the branch of city government they served:

(1) any elected official; [and]

(2) the holder of the position of deputy mayor, director of the office of management and budget, commissioner of citywide administrative services, corporation counsel, commissioner of finance, commissioner of investigation, commissioner of buildings, commissioner of design and construction, commissioner of housing preservation and development, commissioner of transportation, chancellor of the city school district, and chair of the city planning commission; and

(3) the holder of the following positions in the executive office of the mayor: chief of staff to the mayor, chief counsel to the mayor, chief advisor to the mayor, senior advisor to the mayor, director of intergovernmental affairs, communications director, press secretary, and any public servant who directly reports to the mayor.

For the purposes of this subparagraph [(c)] (d), the legislative branch of the city consists of the council and the offices of the council, and the executive branch of the city consists of all other agencies of the city, including the office of the public advocate.

§ 2. This local law takes effect 90 days after it becomes law; provided, however, that the amendments this local law makes to section 2604 shall only apply to public servants, as that term

Local Law 11/2025

is defined in section 2601 of the New York city charter, who leave service with the city after such date.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on January 23, 2025 and returned unsigned by the Mayor on February 24, 2025.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 11 of 2025, Council Int. No. 77-A of 2024) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor, and neither approved nor disapproved within thirty days thereafter.

SPENCER FISHER, Acting Corporation Counsel.

Local Law 76/2025

LOCAL LAWS OF THE CITY OF NEW YORK FOR THE YEAR 2025

No. 76

Introduced by Council Members Restler, Gutiérrez, Banks and Mealy.

A LOCAL LAW

To amend the New York city charter, in relation to communications in adjudicative proceedings by certain public servants

Be it enacted by the Council as follows:

Section 1. Paragraph 3 of subdivision d of section 2604 of the New York city charter, as amended by a vote of the electors on November 5, 2019, is amended to read as follows:

3. The prohibitions set forth in [subparagraphs (a), (b) and (c) of] paragraph 2 of this subdivision shall not be deemed to prohibit a former public servant from making communications with the agency served by the public servant, or with any agency in the branch of city government [served by the public servant], as applicable, which are incidental to an otherwise permitted appearance in an adjudicative proceeding before another agency or body, or a court, unless the proceeding was pending in the agency served during the period of the public servant's service with such agency or in any agency in the branch of city government served during the period of the public servant's service, as applicable.

§ 2. This local law takes effect immediately and is retroactive to and deemed to have been in effect on the same date that local law 11 for the year 2025 took effect.

Local Law 76/2025

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on April 24, 2025 and returned unsigned by the Mayor on May 27, 2025.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 76 of 2025, Council Preconsidered Int. No. 1263-A of 2025) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor, and neither approved nor disapproved within thirty days thereafter.

SPENCER FISHER, Acting Corporation Counsel.