

## **New York City Conflicts of Interest Board**

### **Notice of Public Hearing and Opportunity to Comment on Proposed Rules Regarding Donations and Gifts to the City**

**What are we proposing?** The Conflicts of Interest Board is proposing to amend its rule concerning the reporting of donations and gifts to the City, including travel-related expenses.

**When and where is the hearing?** The Conflicts of Interest Board will hold a public hearing on the proposed rule. The public hearing will take place at 3:00 p.m. on Tuesday, September 16, 2025. The hearing will be at Spector Hall, 22 Reade Street, New York, New York 10007.

This location has the following accessibility option(s) available: wheelchair accessible.

**How do I comment on the proposed rules?** Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the Conflicts of Interest Board through the NYC Rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to [rules@coib.nyc.gov](mailto:rules@coib.nyc.gov).
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by contacting the Conflicts of Interest Board by telephone at (212) 437-0721 or by email at [hammer@coib.nyc.gov](mailto:hammer@coib.nyc.gov). You can also sign up in the hearing room before the hearing begins on September 16, 2025. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a "Question and Answer" format.

**Is there a deadline to submit comments?** Yes, you must submit written comments by September 16, 2025.

**Do you need assistance to participate in the hearing?** You must tell us if you need a reasonable accommodation of a disability at the hearing, including if you need a sign language interpreter. You can advise us by telephone at (212) 437-0721 or by email at [hammer@coib.nyc.gov](mailto:hammer@coib.nyc.gov). You must tell us by Friday, September 12, 2025.

**Can I review the comments made on the proposed rules?** You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. Copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public on the Conflicts of Interest Board's website

(<https://www1.nyc.gov/site/coib/public-documents/open-meetings-and-public-hearings.page>) as soon as practicable.

**What authorizes the Conflicts of Interest Board to make this rule?** Sections 1043 and 2603 of the City Charter authorize the Conflicts of Interest Board to make this proposed rule. This proposed rule was included in the Conflicts of Interest Board's regulatory agenda for Fiscal Year 2026.

**Where can I find the Conflicts of Interest Board rules?** The Conflicts of Interest Board Rules are in title 53 of the Rules of the City of New York.

**What rules govern the rulemaking process?** The Conflicts of Interest Board must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043 of the City Charter.

### **Statement of Basis and Purpose**

The Conflicts of Interest Board proposes to amend its rules to add a public reporting requirement when City agencies accept payment by a third party for travel-related expenses, such as airfare, ground transportation, hotel accommodations, meals, and conference fees. The Board also proposes conforming edits to implement this new requirement and additional technical edits.

#### ***Reporting of Travel-Related Expenses***

Board Rules Section 1-01(h) permits, in certain circumstances, the acceptance of travel-related expenses paid by a third party for official City business. The Board proposes to add the requirement that City agencies report any such expenses of \$1,000 or more along with the name and title of the public servant who traveled, the event necessitating travel, and the date(s) and location of the event. Because City agencies must already collect this information to obtain agency-head approval under Section 1-01(h), this new reporting requirement would impose only a minimal administrative burden.

The Board proposes to add this new reporting requirement for several reasons. When the Board last amended Board Rules Section 1-01(h) in 2020, Reinvent Albany testified about the potential for corruption or abuse in permitting the acceptance by public servants of travel-related expenses non-governmental entities. The Board recognizes that the acceptance by public servants of gifts of substantial value warrants increased transparency. In addition, other large cities such as San Francisco and Chicago mandate public disclosure for travel-related expenses paid for by third parties. The information reported may inform future Board rulemaking.

#### *Conforming and Technical Edits*

The Board proposes to create a new section, proposed Board Rules Section 1-19, to consolidate the existing reporting requirements for donations to the City (Board Rules Section 1-14(c)(1)) and the new reporting requirement for gifts to the City of travel-related expenses into a single reporting rule. In so doing, the Board aims to make these requirements as consistent and simple as possible.

To that end, the Board proposes to set the reporting threshold in the new Board Rules Section 1-19 for both donations to the City and gifts of travel-related expenses at \$1,000. This change lowers the current reporting threshold of \$5,000 in Board Rules Section 1-14(c)(1) so that it is consistent with the reporting threshold in the Annual Disclosure Law (Administrative Code Section 12-110(d)(1)(h)(2)). The proposed amendments also include legal cross-references to guide public servants.

In consolidating these reporting requirements, the Board also proposes to eliminate the requirement, currently contained in Board Rules Section 1-14(c)(2), that an

agency report the names of not-for-profit organizations that were beneficiaries of fundraising by agency employees, a report of limited utility to meet the transparency aims of the rule.

The proposed amendments to Board Rules Section 1-01(h) would clarify the meaning of “travel-related expenses” by adding a list of examples and a reference to Comptroller’s Directive No. 6 as defining government-class travel. Finally, the proposed amendments would require that agency-head approval of their employees’ travel pursuant to Board Rules Section 1-01(h) must be in writing. This requirement, although identified in the Statement of Basis and Purpose, was inadvertently omitted in 2020 from the Board’s adopted rule.

The proposed amendments do not replace or eliminate the current requirement of Administrative Code § 12-110(d)(1)(h)(2) that annual financial disclosure filers report the receipt of travel-related expenses from a third party of \$1,000 or more.

### **Text of Proposed Rule**

New material is underlined.

[Deleted material is bracketed.]

Asterisks (\*\*\*) indicate unamended text.

**Section 1.** Paragraphs (1) and (3) of subdivision (h) of section 1-01 of Title 53 of the Rules of the City of New York are amended to read as follows:

- (1) For the purposes of Charter § 2604(b)(3) and Charter § 2604(b)(5), a public servant may accept travel-related expenses from a third party as a gift to the City provided that the following conditions are met:

- (i) the trip is for a City purpose and therefore could properly be paid for with City funds;
- (ii) [the] travel-related expenses, including but not limited to airfare, ground transportation, hotel accommodations, and meals, are consistent with government-class travel as set forth in Comptroller's Directive No. 6 [arrangements are appropriate to that purpose];
- (iii) the trip is no longer than reasonably necessary to accomplish the governmental business which is its City purpose;
- (iv) the public servant received agency head approval in writing and in advance upon presenting such agency head with a detailed itinerary [which] that reflects the trip's City purpose;
- (v) [all solicitation for and reporting of travel-related expenses are made in accordance with Board Rules § 1-14] a public servant soliciting travel-related expenses from a person or firm has no particular matter involving that person or firm pending before the public servant.

Reminder: Annual financial disclosure filers must report any travel-related expenses of \$1,000 or more that they receive from a third party, as required by Administrative Code § 12-110(d)(1)(h)(2).

\* \* \*

- (3) A public servant may use [his or her] their own funds and accrued leave for personal travel before or after a trip taken for a City purpose provided that:
  - (i) any increased or additional costs resulting from the personal travel are borne solely by the public servant; and
  - (ii) such personal travel receives agency head approval in writing and in advance.

**Section 2.** Section 1-14 of Title 53 of the Rules of the City of New York is amended to read as follows:

### **§ 1-14 Official Fundraising.**

- (a) For purposes of Charter § 2604(b)(2) and Charter § 2604(b)(3), a public servant may use [his or her] their position as a public servant to solicit a donation or gift to the City provided that all of the following conditions are met:
  - (1) The solicitation seeks a donation for one of the following:

- (i) the City agency or office served by the public servant;
  - (ii) another City agency or office designated by the public servant's agency head, with the [written] approval of the head of the other agency or office;
  - (iii) a not-for-profit organization subject to Chapter 9 of Title 3 of the Administrative Code over which the public servant's agency head exercises control as part of [his or her] their City position;
  - (iv) a not-for-profit organization designated by the public servant's agency head pursuant to subdivision (b) of this section, provided that the public servant is not associated, within the meaning of Charter Section 2601(5), with the organization or an employee of the organization.
- (2) The solicitation is directed either to the general public or to [an individual] a person or firm that does not have a particular matter pending before the public servant.
- (3) The solicitation is accompanied by a disclaimer that a contribution will not affect any business dealings with the City or provide special access to City officials.
- (b) An agency head may designate [in writing] one or more not-for-profit organizations for solicitations made by agency or office employees pursuant to subdivision (a) of this section, provided that both of the following conditions are met:
  - (1) the not-for-profit organization has a clear and direct nexus to the City and its residents and with the mission or duties of the City agency or office; and
  - (2) the agency head is not associated, within the meaning of Charter Section 2601(5), with the organization or an employee of the organization.
- (c) [Pursuant to Charter § 2604(b)(2), each agency head must report to the Board annually by February 28:
  - (1) the name of any individual or firm that made one or more donations totaling \$5,000 or more to the agency during the previous calendar year, the total amount of these donations, and whether the donation was cash or an in-kind donation; and
  - (2) the name of any not-for-profit organization designated by the agency head pursuant to subdivision (b) of this section for which agency employees solicited donations during the previous calendar year.
- (d) An agency head may submit to the Board a written request that disclosure, pursuant to subdivision (c)(1) of this section, of one or more of its donors and/or

the amount of donation not be made public. The written request must be submitted no later than January 31 for the previous calendar year and must explain why the release of such information to the public may cause harm, threats, harassment, or reprisals to the donor or to individuals or property affiliated with the donor. Whether or not an agency head has submitted a request pursuant to this subdivision, the Board may on its own initiative grant privacy as to any information submitted by an agency head, upon a finding by the Board that the release of such information would pose a risk to the safety or security of any person.

- (e)] For purposes of this section, an elected official, including a District Attorney, is the agency head of the staff members in [his or her] their office. The Speaker of the New York City Council is the agency head of the central staff of the Council, and a Council Member is the agency head for the staff of [his or her] their office.

**Section 3.** Title 53 of the Rules of the City of New York is amended by adding a new section 1-19, to read as follows:

**§ 1-19 Reporting of Gifts to the City.**

- (a) For the purposes of Charter § 2604(b)(2), each agency head must report to the Board annually by February 28 the following information for the previous calendar year:
- (1) the name of any person or firm that made one or more gifts to the agency totaling \$1,000 or more, the total dollar value of any such gifts, and whether any such gifts were cash, in-kind, or payment of travel-related expenses stated in § 1-01(h)(ii).
- (2) For any reported payment of travel-related expenses pursuant to subdivision (1), the agency head must also report: the name and title of the public servant(s) who traveled; the event(s) necessitating travel; and the date(s) and location(s) of the event(s).
- (b) An agency head may request in writing that the Board withhold from public disclosure the name of a donor and/or the value of their donation. This request must be submitted no later than January 31 for the previous calendar year and must explain why disclosure may result in harm, threats, harassment, or reprisals to the donor or to affiliated persons or property. Whether or not an agency head has submitted such a request, the Board may on its own initiative withhold such information if it finds that disclosure would pose a risk to the safety or security of any person.

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS  
253 BROADWAY, 10<sup>th</sup> FLOOR  
NEW YORK, NY 10007  
212-788-1400**

**CERTIFICATION / ANALYSIS  
PURSUANT TO CHARTER SECTION 1043(d)**

**RULE TITLE: Amendment of Rules Relating to Acceptance and Reporting of Donations**

**REFERENCE NUMBER: COIB-30**

**RULEMAKING AGENCY: Conflicts of Interest Board**

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro  
Mayor's Office of Operations

July 22, 2025  
Date



**NEW YORK CITY LAW DEPARTMENT  
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NEW YORK, NY 10007  
212-356-4028**

**CERTIFICATION PURSUANT TO  
CHARTER §1043(d)**

**RULE TITLE:** Amendment of Rules Relating to Acceptance and Reporting of Donations

**REFERENCE NUMBER:** 2025-RG-054

**RULEMAKING AGENCY:** Conflicts of Interest Board

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN  
Senior Counsel

Date: July 21, 2025