

NEW YORK STATE ETHICS REFORM –April 2015

| GOVERNOR CUOMO/ LEGISLATURE ETHICS REFORM PROVISIONS | PRIOR ETHICS LAW |
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| <u>Disclosure</u> | |
| No legislator, legislative employee, statewide elected official, or state officer or employee may receive any kind of compensation, directly or indirectly, in connection with a pending bill or resolution. | No previous prohibition. |
| A public official who receives more than \$10,000 in income from an employment activity as a member or employee of a business or firm (such as a lawyer or real estate broker) must disclose the name of each client or customer who was either provided services by the reporting individual and paid in excess of \$5,000 or was billed in excess of \$5,000. | Previously not required. |
| All public officials must disclose the nature of each source of outside compensation in excess of \$1,000. | Previously not required. The law did not require describing each source with any particularity. |
| A public official must disclose, when receiving a fee in excess of \$5,000, the names of clients who he or she represents in certain government matters including contracts over \$10,000 and grants over \$10,000. | A public official must disclose, when receiving a fee in excess of \$10,000, the names of clients who he or she represents in certain government matters including contracts over \$50,000 and grants over \$25,000. |
| A public official must identify each lobbyist who referred clients who paid fees in excess of \$5,000, if a public official receives more than \$10,000 in income from any employment or activity. | A public official must identify each lobbyist who referred clients who paid fees in excess of \$10,000, if a public official receives more than \$50,000 in income from any employment or activity. |
| Exemptions also include family court matters and estate planning matters to protect privacy of clients. Initial public offerings are placed in a confidential lock box until the transaction is complete. | Previous exemptions provided under law included criminal matters, residential closings, bankruptcies, and domestic relations matters. |
| Exemplars created to describe services to ensure accuracy in reporting. | Previously not included in law. |
| Lobbying Law is expanded to require disclosure of lobbying of municipalities that have a population of 5,000 or more. | Previously required disclosure was limited to lobbying of municipalities with populations of 50,000 or more. |
| Lobbying Law is expanded to require disclosure on local budgets votes. | Previously not required. |
| Require JCOPE or OCA to promptly issue a determination on whether disclosing a client's identity will likely cause harm such that an exemption should apply. | Previously not required to issue prompt guidance. |

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| <u>Pension Forfeiture</u> | |
| Apply pension forfeiture law to all public officials who are convicted of public corruption regardless of when the official enters into the retirement system. | Previously the forfeiture provision was limited to those who enter the pension system after August 15, 2011. |
| <u>Per Diem</u> | |
| Install an electronic system that verifies personal attendance of legislators at an official event. | Previously not required. |
| Develop and implement policies to verify attendance at official events and establish standards and limits for reimbursable events. | Previously not required. |
| Create a publicly accessible website showing members' reimbursement and travel. | Previously not required. |
| <u>Personal Use</u> | |
| Bar use of campaign contributions for personal use. | Previously undefined. The term “personal use” was not previously defined in law. |
| Expressly prohibit in law the use of campaign contributions for residential home purchases, mortgage payments; rent; clothing; tuition payments; salaries for individuals not performing campaign work; admissions to sporting events; fines and penalties; and dues, fees or gratuities for country clubs, health clubs, recreational facilities or other entities with a similar purpose. | Previously not required. |
| <u>Campaign Finance Disclosure</u> | |
| Require the disclosure of independent expenditures relating to communications made within 60 days before a general, or special election, and 30 days before a primary election that reference a clearly identified candidate. | Previously not required. |