



Legislation Text

File #: Int 0389-2022, Version: *

Int. No. 389

By Council Members Holden and Abreu

A Local Law to amend the administrative code of the city of New York, in relation to spending by foreign nationals and foreign-influenced entities in connection with city elections

Be it enacted by the Council as follows:

Section 1. Section 3-702 of the administrative code of the city of New York is amended by adding new subdivisions 24 and 25 to read as follows:

24. Foreign-influenced entity. The term “foreign-influenced entity” means any entity, as defined in clause (ii) of subparagraph (a) of paragraph 15 of subdivision a of section 1052 of the charter, for which at least one of the following conditions is met:

a. A single foreign national holds, owns, controls, or otherwise has direct or indirect beneficial ownership of five percent or more of the total equity, outstanding voting shares, membership units, or other applicable ownership interests of the entity;

b. Two or more foreign nationals, in aggregate, hold, own, control, or otherwise have direct or indirect beneficial ownership of 20 percent or more of the total equity, outstanding voting shares, membership units, or other applicable ownership interests of the entity; or

c. A foreign national participates directly or indirectly in the entity’s decision-making process with respect to the entity’s political activities in the United States, including the entity’s political activities with respect to a covered election.

25. Foreign national. The term “foreign national” means:

a. A foreign national, as defined in subsection (b) of section 30121 of title 52 of the United States code,

including but not limited to a foreign government or a foreign principal; or

b. An entity for which, in aggregate, one or more foreign nationals, as defined in subsection (b) of section 30121 of title 52 of the United States code, own, control, or otherwise have direct or indirect beneficial ownership of 50 percent or more of the equity, outstanding voting shares, membership units, or other applicable ownership interests of the entity.

§ 2. Chapter 7 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-721 to read as follows:

§ 3-721 Prohibition of spending by foreign nationals and foreign-influenced entities. a. A foreign national or foreign-influenced entity shall not make, directly or through any other person, a contribution, expenditure or independent expenditure, as defined in clause (i) of subparagraph (a) of paragraph 15 of subdivision a of section 1052 of the charter, in connection with any covered election.

b. The board may, upon notice and opportunity to be heard, assess a civil penalty in an amount not in excess of \$10,000 for each violation of this section. The intentional or knowing violation of this section shall be punishable as a misdemeanor in addition to any other penalty provided under law.

§ 3. This local law takes effect 30 days after it becomes law.

Session 12
CJM
LS #1293
04/18/2022_5:50PM

Session 11
NB
LS #7078
Int. #1074-2018