



## Legislation Details (With Text)

|                        |  |                     |   |              |  |
|------------------------|--|---------------------|---|--------------|--|
| <b>File #:</b>         | Int 2292-2021  | <b>Version:</b>     | * | <b>Name:</b> | Reporting of information pertaining to allegations of misconduct made under section 12-113 and the development of web applications to track City agency and contractor compliance with certain investigations and recommendations. |
| <b>Type:</b>           | Introduction   | <b>Status:</b>      |   |              | Filed (End of Session)   |
|                        |  | <b>In control:</b>  |   |              | Committee on Oversight and Investigations  |
| <b>On agenda:</b>      | 4/29/2021  |                     |   |              |  |
| <b>Enactment date:</b> |  | <b>Enactment #:</b> |   |              |  |
| <b>Title:</b>          | A Local Law to amend the administrative code of the city of New York, in relation to the reporting of information pertaining to allegations of misconduct made under section 12-113 and the development of web applications to track City agency and contractor compliance with certain investigations and recommendations |                     |   |              |  |
| <b>Sponsors:</b>       | Vanessa L. Gibson  |                     |   |              |  |
| <b>Indexes:</b>        | Report Required  |                     |   |              |  |
| <b>Attachments:</b>    | 1. Summary of Int. No. 2292, 2. Int. No. 2292, 3. April 29, 2021 - Stated Meeting Agenda with Links to Files, 4. Hearing Transcript - Stated Meeting 4-29-21, 5. Minutes of the Stated Meeting - April 29, 2021, 6. Committee Report 4/30/21, 7. Hearing Testimony 4/30/21, 8. Hearing Transcript 4/30/21                  |                     |   |              |  |

| Date       | Ver. | Action By                                 | Action                      | Result |
|------------|------|---|-----------------------------|--------|
| 4/29/2021  | *    | City Council                              | Introduced by Council       |        |
| 4/29/2021  | *    | City Council                              | Referred to Comm by Council |        |
| 4/30/2021  | *    | Committee on Oversight and Investigations | Hearing Held by Committee   |        |
| 4/30/2021  | *    | Committee on Oversight and Investigations | Laid Over by Committee      |        |
| 4/30/2021  | *    | Committee on General Welfare              | Hearing Held by Committee   |        |
| 4/30/2021  | *    | Committee on General Welfare              | Laid Over by Committee      |        |
| 12/31/2021 | *    | City Council                              | Filed (End of Session)      |        |

Int. No. 2292

By Council Member Gibson

A Local Law to amend the administrative code of the city of New York, in relation to the reporting of information pertaining to allegations of misconduct made under section 12-113 and the development of web applications to track City agency and contractor compliance with certain investigations and recommendations

Be it enacted by the Council as follows:

Section 1. Section 12-113 of the administrative code of the city of New York is amended by adding a new subdivision k to read as follows:

k. The report required by subdivision i of this section shall include the following information in a searchable, machine-readable format for each report of information concerning conduct allegedly involving corruption, criminal activity, conflict of interest, gross mismanagement or abuse of authority, or conduct allegedly presenting a substantial and specific risk of harm to the health, safety or educational welfare of a child, as described in subdivision b of this section; provided that such information shall only be included if such conduct report was received by the commissioner, special commissioner of investigation or corporation counsel, whether directly or upon referral, (i) in the preceding year or (ii) in an earlier year and an investigation or inquiry by such official with respect to such conduct report remained open at the end of the preceding year:

1. The year in which such conduct report was received by the commissioner, special commissioner of investigation or corporation counsel, whether directly or upon referral;

2. The agency to which such conduct report relates;

3. Whether such conduct report arose under paragraph 1 of subdivision b of this section, paragraph 2 of such subdivision or paragraph 5 of such subdivision;

4. Whether an investigation or inquiry has been initiated by the commissioner, special commissioner of investigation or corporation counsel with respect to such conduct report and, if so, whether at the end of such fiscal year, such investigation or inquiry was (i) closed, (ii) open for 90 or more days, but fewer than 180 days, (iii) open for 180 or more days, but fewer than 365 days, (iv) open for 365 or more days, but fewer than 730 days, or (v) open for 730 or more days; and

5. If an investigation or inquiry was initiated by such official with respect to such conduct report and closed, a summary of the outcome of such investigation or inquiry, including any recommended personnel action and recommended changes to agency, covered contractor or covered subcontractor policy or procedure resulting from such investigation or inquiry; provided that the commissioner shall redact any personal identifying information, as such term is defined in subdivision a of section 10-501, relating to any recommended personnel action.

§ 2. Section 33-201 of the administrative code of the city of New York, as added by local law number 43 for the year 2020, is amended to read as follows:

§ 33-201 Website and reporting. a. Definitions. For purposes of this section, the terms “covered contractor” and “covered subcontractor” have the meanings ascribed to such terms in subdivision a of section 12-113.

b. The commissioner and the special commissioner of investigation shall develop and maintain web applications on their respective websites for the purposes of tracking and assessing [agency] cooperation and compliance by agencies, covered contractors and covered subcontractors with investigations and recommendations. For each agency, covered contractor or covered subcontractor investigated, the web applications shall set forth:

1. Any recommendation made to the agency, covered contractor or covered subcontractor and any relevant context for the recommendation;

2. Whether any such recommendation was accepted or rejected by the agency, covered contractor or covered subcontractor to which it was made; and

3. For each recommendation accepted by an agency, covered contractor or covered subcontractor, whether such agency, covered contractor or covered subcontractor implemented the recommendation.

[b.] c. The web application required by this section to be developed by the commissioner shall include all recommendations issued with respect to agencies on and after January 1, 2014 and all recommendations issued with respect to covered contractors and covered subcontractors on and after January 1, 2021. The web application required by this section to be developed by the special commissioner of investigation shall include all recommendations issued with respect to agencies on and after the effective date of [the] local law [that added this section] number 43 for the year 2020 and all recommendations issued with respect to covered contractors and covered subcontractors on and after the effective date of local law number 9 for the year 2021. Both web applications shall be updated as necessary to reflect the current status of [each agency’s] cooperation

and compliance by each agency, covered contractor or covered subcontractor.

[c.] d. The web applications required by this section shall be made available to the public no later than July 1, 2020. When such web applications required by this section are available to the public, the web applications maintained by the commissioner and by the special commissioner of investigation shall include a link to each other.

§ 3. This local law takes effect immediately.

JJ  
LS #17601  
04/22/2021 2:54PM