



Legislation Text

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Int. No. 588

By the Public Advocate (Mr. Williams) and Council Member Adams

A Local Law to amend the administrative code of the city of New York, in relation to exchanging gifts with department of buildings employees

Be it enacted by the Council as follows:

Section 1. Article 101 of chapter 1 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-101.6 to read as follows:

§ 28-101.6 Gift giving prohibited. No gift, benefit or other thing of value may be offered or given between a department employee and a person doing business with the city. The department may, by rule, establish stricter requirements on gift exchanges involving department employees.

Exception: Unless otherwise provided by department rules, a department employee may accept gifts that are customary on family or social occasions from a family member or close personal friend who such employee knows is or intends to become engaged in business dealings with the city, when:

1. Such employee can show that the family or personal relationship is the controlling factor, rather than the business dealings; and
2. Such employee's receipt of the gift would, to the department's satisfaction, not result in or create the appearance that such employee is:
 - 2.1 Using such employee's office for private gain;
 - 2.2 Giving preferential treatment to any person;
 - 2.3 Losing independence or impartiality; or
 - 2.4 Accepting gifts or favors for performing official duties.

§ 2. This local law takes effect immediately.

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