



Legislation Text

File #: Int 0735-2018, **Version:** A

Int. No. 735-A

By Council Members Matteo and Yeger

A Local Law to amend the New York city charter, in relation to the advisory opinions of the conflicts of interest board, and to repeal paragraph 4 of subdivision c of section 2603 in relation thereto

Be it enacted by the Council as follows:

Section 1. Paragraph 4 of subdivision c of section 2603 of the New York city charter is REPEALED and a new paragraph 4 is added to read as follows:

4. All advisory opinions of the board shall include a statement that the opinion applies only to the requesting public servant or public servants, and any citation to a previously issued advisory opinion shall be accompanied by a statement that such previously issued advisory opinion applies only to the public servant or public servants on whose request it was originally rendered. Not later than the first day of May annually, the board shall determine whether any advisory opinion issued in the prior calendar year has interpretive value in construing the provisions of this chapter and either (a) establishes a test, standard or criterion; or (b) the board anticipates will be the subject of future advisory opinion requests from multiple persons. The board shall make that determination public in its annual report that is required pursuant to subdivision i of section 2603 of this chapter, The board shall initiate a rulemaking to adopt any such opinion, or part of an opinion, so determined.

§ 2. Not later than May 1, 2020, the conflicts of interest board shall initiate a rulemaking to adopt, as interpretive of the provisions of this chapter, any advisory opinion of the board issued after the year 1990 and before the enactment date of this local law which the board determines to be consistent with and to have interpretive value in construing the provisions of this chapter and which either (a) establishes a test, standard or criterion; or (b) is anticipated by the board to be the subject of future advisory opinion requests from multiple

persons. This section shall not be construed as prohibiting the adoption of any rule after May 1, 2020, the subject of which was addressed in an advisory opinion considered pursuant to this section.

§ 3. This local law takes effect immediately.

BJR
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