

December 16, 2016 Agenda—Item AD-1 (Open Meeting Matter)

To: The Board
cc: Legal Staff
From: Julia Davis
Date: December 2, 2016
Re: Proposed Administrative Code Amendments

New York City’s Annual Disclosure Law, contained in Section 12-110 of the New York City Administrative Code (“Ad. Code”), requires that candidates for City elected office file an annual disclosure report with the Conflicts of Interest Board (“COIB” or the “Board). Ad. Code § 12-110(b)(2) specifically requires that candidates file an annual disclosure report “on or before the last day for filing his or her designating petitions pursuant to the election law.” This creates a Catch-22 situation: since COIB cannot learn who has submitted designating petitions until after the deadline for filing them has passed, it cannot notify candidates of their obligation to file an annual disclosure report until after they are already out of compliance. This is patently unfair, especially to those candidates unable to afford experienced campaign staff.

The proposed amendments to Section 12-110(b)(2) of the Administrative Code seek to remedy this problem by fixing deadlines for the filing of annual disclosure reports by candidates that would enable COIB both to notify candidates of their filing obligation in sufficient time for them to comply and to provide reports to the public in advance of an election. Additionally, this change would not undermine the requirements and schedules of either the Campaign Finance Board or the City’s Board of Elections, with whom Staff

consulted on these amendments. Accordingly, Staff submits herewith for the Board's consideration the following proposed amendments to Section 12-110(b)(2) of the Administrative Code of the City of New York. Staff recommends that the Board approve the proposed amendments for submission to the Mayor's Office and the City Council.