



New York State Commission on Ethics and Lobbying in Government

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The Commission on Ethics and Lobbying in Government 2026 Legislative Agenda

Ethics and Lobbying

1. Accessorial (Accomplice) Liability (Executive Law, Public Officers Law, Civil Service Law and Lobbying Act)

- **Proposal:** Amend laws to expressly prohibit individuals and entities under the Commission’s jurisdiction from soliciting, aiding, or importuning another to engage in conduct that violates the State’s ethics and lobbying laws. Although implicit, the Public Officers Law and the Lobbying Act do not expressly authorize COELIG to pursue individuals under its jurisdiction who aid others in the commission of acts in violation of the law. The explicit inclusion of so called “accessorial liability” in the law would strengthen COELIG’s enforcement efforts and promote compliance with the State’s ethics and disclosure laws.

Lobbying

2. Conforming Changes to the Lobbying Act

- **Proposal:** Amend Section 1-d(h) of the Lobbying Act to conform to Section 94(8) of the Executive Law by expressly adding clients to the mandatory ethics training requirements set forth in the Lobbying Act. Amend Section 1-d(h) to require lobbyists (and, as proposed, clients) to complete the online ethics training course within 60 days of being listed on a Statement of Registration. Additionally, to correspond with biennial filing requirements, amend the requirement in Section 1-d(h) for lobbyists (and, as proposed, clients) to complete the online ethics training course from once every three years to once every two years, to coincide with the biennial registration cycle.

3. Training Non-Compliance Penalties for Lobbyists and Clients

- **Proposal:** Amend Executive Law Section 94(8) and Legislative Law Article 1-A (the Lobbying Act) Section 1-d(h) to authorize the Commission to impose late fees on lobbyists and clients who fail to timely comply with the mandated ethics training. Proposed late fees for failure to timely complete mandatory ethics training could include fees similar to the fees assessed for late lobbying filings, which are authorized up to a certain dollar amount per day.

4. Express Individual Liability of Responsible Parties and other Lobbying Representatives for Intentional Lobbying Act Violations

- Amend the Legislative Law Article 1-A (the Lobbying Act) to clarify that the Responsible Party listed on lobbying reports is the individual responsible for the accuracy, truthfulness, and completeness of the lobbying filings, and that such individual will be responsible for any knowing and willful violation of the Lobbying Act. (The Commission has clarified, in recently adopted amendments to its lobbying regulations, that all lobbying filings must be signed and attested to by a Responsible Party. See 19 NYCRR §§943.3, 943.5, 943.6, 943.9, 943.10, 943.11 and 943.12, adopted June 26, 2024. Those amendments, however, do not directly address the civil liability of Responsible Parties for violations of the Lobbying Act.)

5. Require Electronic Submission of All Lobbying Filings

- Amend the Lobbying Act sections 1-(d), (e), (h), (i), (j) and (l) to require electronic filing of all lobbying reports. This proposal would ease the administrative burden created by the submission of paper filings and promote transparency of lobbying activity by ensuring that all lobbying filings are available to the public upon submission to the Commission. (NB: Section 305(1) of the State Technology Law prevents government entities from mandating electronic filing “except as otherwise provided by law”; hence this proposal for a legislative change rather than a regulatory amendment.)

Note: See also proposal 7 below.

Ethics

6. Post the Financial Disclosure Statements of Candidates

- **Proposal:** Starting with the 2026 Primary Election, post the Financial Disclosure Statements of all Primary and General Election Candidates for Statewide Office and the Legislature. Implementation of this proposal would also require that the Commission receives a budgetary infusion to cover additional agency costs.

7. Require Electronic Filing of All Financial Disclosure Statements

- **Proposal:** Amend Public Officers Law §73-a to require electronic filing of all Financial Disclosure Statements.

Note: See also Proposal 5, above.

8. Add Penalties for Certain Violations of the Public Officers Law which Currently Have None

- **Proposal:** Add penalties for violations of POL § 74(3)(f) and (h) and explicitly codify sexual harassment as conduct that violates the code of ethics.
 - i. Subsection (f) prohibits a state officer or employee from engaging in any conduct that would “give reasonable basis for the impression that any person can improperly influence him or her or unduly enjoy his or her favor in the performance of his or her official duties.” Subsection (h) requires a state officer or employee to “pursue a course of conduct which will not raise suspicion among the public that he or she is likely to be engaged in acts that

are in violation of his or her trust.” These standards are general in nature, and the statute currently provides no penalty for violations of these two specific provisions other than referring for agency disciplinary action, including termination, or, in the case of statewide elected officials, impeachment (EL §94(10)(p)(ii)). The Commission proposes to:

- ii. Add a provision to Public Officers Law Section 74, the State’s Code of Ethics, specifically codifying sexual harassment as a violation of the Code. Currently, sexual harassment claims are addressed under POL Section 74(3)(h), which prohibits conduct that goes against the public trust and carries no monetary penalty, and/or POL Section 74(3)(d), which prohibits securing unwarranted privileges and carries a \$10,000 penalty.
- iii. Add a monetary penalty to POL Sections 74(3)(f) and (h), similar to the penalties imposed for violations of POL Sections 74(3)(b), (c), (d), and (i). Violations of the public’s trust are serious infractions and should be treated accordingly.

Open Meetings Law

9. Eliminate the Physical Access Requirement for Advisory Committees and Subcommittees of Public Bodies

- **Proposal:** Amend the Open Meetings Law to allow meetings of purely advisory and non-decision-making committees, including ad hoc committees and subcommittees, to be held virtually with no requirement of physical access to participating commission members, provided that the meeting is publicly live-streamed and the public has access to one or more viewing sites. Removing the physical access requirement will increase transparency and substantially increase the number and frequency of non-decisional committee meetings of advisory-only bodies. Authorizing purely advisory subordinate committees and subcommittees of advisory bodies to meet by publicly livestreamed and recorded videoconference, with ample public notice and access to one or more fully equipped viewing sites, and without requiring members to travel long distances to assemble physically in public, will facilitate the readily accessible convening of such meetings and thereby both foster the principle of public scrutiny of the workings of state and local government that lies at the heart of the OML and serve the broader public interest without materially trenching upon either.

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