

**STRICKEN AS OF 10/26/2011**

Intro. Res. No. 1313-2011  
Introduced by Legislators Schneiderman

Laid on Table 4/26/2011

**RESOLUTION NO.                   -2011, ADOPTING LOCAL LAW  
NO.           -2011, A LOCAL LAW TO ENACT A CAMPAIGN  
FINANCE REFORM ACT TO LIMIT CAMPAIGN  
CONTRIBUTIONS FROM COUNTY CONTRACTORS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on       , 2011, a proposed local law entitled, "**A LOCAL LAW TO ENACT A CAMPAIGN FINANCE REFORM ACT TO LIMIT CAMPAIGN CONTRIBUTIONS FROM COUNTY CONTRACTORS**"; now, therefore be it

**RESOLVED**, that said local law be enacted in form as follows:

**LOCAL LAW NO.           -2011, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO ENACT A CAMPAIGN FINANCE REFORM ACT  
TO LIMIT CAMPAIGN CONTRIBUTIONS FROM COUNTY  
CONTRACTORS**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK**, as follows:

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that the general public perceives that "special interests" use campaign contributions to gain extraordinary access to, and favorable consideration from, government officials.

This Legislature further determines that many members of the general public believe that this "pay to play" culture results in government contracts being awarded on the basis of connections and contributions rather than merit.

This Legislature also finds that elected officials must take appropriate steps to restore the public's faith in political institutions.

This Legislature further finds and determines that limiting the amount of campaign contributions that contractors can make to County Officials is a reform measure that will strengthen public confidence in the integrity of the political system and increase the likelihood that County contracts will, in fact, be awarded to the best qualified individuals and businesses.

Therefore, the purpose of this law is to limit the contributions that contractors can make to elected County Officials and candidates for County office and thereby reduce special interest influence on the County's contracting process.

**Section 2. Definitions.**

As used in this law, the following terms shall have the meanings indicated:

“AGREEMENT” - any written or oral contract between the County of Suffolk and a contractor, for the sale of goods or services, including construction work, or a lease or contract relating to real or personal property. This term shall include a transaction whereby a contractor agrees to sell goods and/or services to the County, pursuant to a successful bid.

“CONTRACTOR” - any individual, partnership, joint venture, corporation or other business entity of any kind that contracts with the County of Suffolk. In the case of a corporation or other business entity, this definition shall extend to the principals, officers and directors of the corporation or business entity, and their relatives, which shall include spouses, issue, brothers and sisters.

“CONTRIBUTION” – as defined in Section 14-100 of the New York Election Law.

“COUNTY” - any department, board, bureau, commission, division, office, or other agency of Suffolk County Government.

“ELECTED OFFICIAL” - the Suffolk County Executive, Suffolk County Clerk, Suffolk County Sheriff, Suffolk County District Attorney, Suffolk County Treasurer, Suffolk County Comptroller and members of the Suffolk County Legislature.

“ELECTION CYCLE” – the period between elections for public office, i.e. the four year period between elections for the offices County Executive, County Clerk, County Sheriff, District Attorney, County Treasurer and County Comptroller and the two-year period between elections for County Legislature.

“PUBLIC OFFICE” - the offices of Suffolk County Executive, Suffolk County Clerk, Suffolk County Sheriff, Suffolk County District Attorney, Suffolk County Treasurer, Suffolk County Comptroller and Suffolk County Legislator.

### **Section 3. Limitation on Contributions.**

- A. No contractor who enters into an agreement or agreements with the County, which in the aggregate exceeds \$10,000 during a calendar year, shall make a contribution or contributions totaling more than \$500 to any elected official or candidate for public office during the election cycle then prevailing. Contributions made by a contractor prior to entering into an agreement or agreements with the County during that same election cycle shall be counted towards the \$500 limit, however, a contribution in excess of \$500 made prior to the contractor entering into an agreement with the County shall not constitute a violation hereunder.
- B. No County official or candidate for public office shall knowingly accept a contribution from a contractor that exceeds the limit set forth in subsection (A) of this section. For the purposes of this subsection, contributions made to any political committee, authorized by an elected official or candidate for public office to accept contributions on his or her behalf, shall be considered contributions made to such elected official or candidate for public office.

### **Section 4. Penalties.**

- A. Any contractor who knowingly makes a contribution in violation of this law shall be guilty of an unclassified misdemeanor, punishable by a fine of \$1000 and/or four months in jail.
- B. Any elected official or candidate for public office who knowingly accepts a contribution in violation of this law shall be guilty of an unclassified misdemeanor, punishable by a fine of \$1000 and/or four months in jail.
- C. Any contractor who knowingly violates this law shall be subject to the termination of the agreement by the County of Suffolk.

**Section 5. Applicability.**

This law shall apply to actions occurring on or after the effective date of this law.

**Section 6. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 7. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

**Section 8. Effective Date.**

This law shall take effect immediately upon filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

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County Executive of Suffolk County

Date:

