

STRICKEN AS OF END OF YEAR
AMENDED COPY AS OF 9/28/2015

Intro. Res. No. 1691-2015
Introduced by Legislator Trotta

Laid on Table 9/9/2015

RESOLUTION NO. -2015, ADOPTING LOCAL LAW
NO. -2015, A LOCAL LAW TO STRENGTHEN THE CODE
OF ETHICS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on September 9, 2015, a proposed local law entitled, "**A LOCAL LAW TO STRENGTHEN THE CODE OF ETHICS**;" now, therefore be it

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

LOCAL LAW NO. -2015, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO STRENGTHEN THE CODE OF ETHICS

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 County of Suffolk has traditionally been a leader in enacting strong ethics and financial disclosure rules to guide and govern the conduct of its officers and employees.

This Legislature further finds that the County's ethics code provides a clear set of "conflict of interest" rules which help its employees and officers avoid taking actions in their official capacity which are in conflict with their private interests.

This Legislature also finds that strong conflict of interest rules and their effective enforcement are vitally important in maintaining the public's trust and confidence in County government.

This Legislature further determines that the general public perceives that special interests use campaign contributions at all levels of government to gain access to, and special consideration from, public officials. The special interest money now flooding federal election campaigns has only increased public cynicism about government.

This Legislature finds that at the local level, it is not unusual for persons and entities doing business with Suffolk County to make donations to the political campaigns of County officials and candidates for County office. Under certain circumstances, these contributions can create the appearance of a conflict of interest and a belief among the citizenry that official decisions are unduly influenced by special interests.

This Legislature concludes that it is necessary to strengthen the County's conflict of interest rules to ensure that a "pay to play" culture does not take root in Suffolk County.

Therefore, the purpose of this local law is to strengthen the County's Code of Ethics to ensure that County employees and officers do not take official action on matters that effect persons and organizations from whom they have accepted political campaign contributions.

Section 2. Amendments.

Chapter 77 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**CHAPTER 77.
ETHICS AND ACCOUNTABILITY**

Part 1. Code of Ethics and Financial Disclosure

Article I. Code of Ethics

§ 77-1. Definitions.

* * * *

BUSINESS DEALINGS WITH THE COUNTY

Any transaction with the County involving the sale, purchase, rental, disposition or exchange of any goods, services, or property, or any license, grant or benefit, and any performance with respect to any of the foregoing, but shall not include any transaction involving the public servant's residence or any ministerial matter.

CONTRIBUTION

As defined in Section 14-100 of the New York Election Law.

* * * *

ELECTED OFFICIAL

A person holding office as County Executive, District Attorney, Clerk, Comptroller, Treasurer, Sheriff or member of the County Legislature.

EMPLOYEE ORGANIZATION

An organization recognized and certified pursuant to the provisions of Article 14 of New York Civil Service Law, to negotiate collectively the terms and conditions of employment of employees with the County of Suffolk and to negotiate and enter into written agreements with the County of Suffolk in determining the terms and conditions of employment.

* * * *

§ 77-3. Prohibited conduct.

* * * *

C. No public servant shall use his or her official position or office, or take or fail to take any action, in a manner which he or she knows or has reason to know may result in a [personal] financial benefit to himself or herself, a person or firm associated with the public servant, a customer or client of the public servant, [or] any person from whom the public servant has

received a gift or any goods or services for less than fair market value, during the preceding [12] 48 months[.], or any person, firm or employee association from whom the public servant or the public servant's campaign committee has received a contribution during the preceding 48 months. A contribution from an individual member of an employee association to a public servant's campaign committee shall not preclude the public servant from acting in a matter affecting the employee association.

* * * *

Section 3. Applicability.

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

Section 4. 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 5. 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 6. Effective Date.

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

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: