

## 2017-B404

Senate Resolution No. 404

BY: Senator FLANAGAN

### CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

amending the Permanent Joint Rules of the Senate and  
Assembly, in relation to advisory opinions in  
relation to outside employment

RESOLVED (if the concur), That the Permanent Joint Rules of  
the Senate and Assembly be amended by adding a new Joint Rule V to read  
as follows:

#### JOINT RULE V

Section 1. Advisory Opinions in relation to Outside Employment. A  
member of the legislature who intends to undertake or who undertakes  
outside employment shall submit to the Legislative Ethics Commission a  
written request for a formal advisory opinion, pursuant to the  
provisions of paragraph i of subdivision 7 of section 80 of the  
Legislative Law, regarding whether the outside employment is consistent  
with the provisions of sections 73 and 74 of the Public Officers Law.

For the purposes of this joint rule, "outside employment" means  
compensation in excess of 5,000 dollars per calendar year, other than  
compensation provided pursuant to sections 5 and 5-a of the Legislative  
Law, from employment for services rendered or goods sold as part of a  
regular course of any business during a member's term.

§ 2. Timeframe. Members of the legislature shall be required to submit

such written requests as follows:

- a. For members of the legislature who are currently engaged in outside employment and have not previously submitted a request to the Legislative Ethics Commission for a formal advisory opinion in connection with such employment, within thirty days of the adoption of this resolution by the Senate and the Assembly;
- b. For members of the legislature in relation to prospective outside employment, prior to the receipt of compensation in excess of five thousand dollars from such outside employment; and
- c. For newly-elected members of the legislature in relation to maintaining previously-held outside employment, within thirty days of assuming office.

§ 3. Impact. Such written advisory opinions are binding upon the Legislative Ethics Commission and the Joint Commission on Public Ethics in accordance with the provisions of paragraph i of subdivision 7 of section 80 of the Legislative Law.

RESOLVED (if the concur), That the foregoing amendment to the Permanent Joint Rules of the Senate and Assembly be effective immediately.