Governmental Operations Committee Staff

Christopher Murray, *Senior Legislative Counsel*

Sebastian Bacchi, *Senior Finance Analyst*



## THE COUNCIL

# **COMMITTEE REPORT OF THE GOVERNMENTAL AFFAIRS Division**

*Jeffrey Baker, Legislative Director*

*Rachel Cordero, Deputy Director, Governmental Affairs*

**COMMITTEE ON GOVERNMENTAL OPERATIONS**

*Hon. Fernando Cabrera, Chair*

#### December 14, 2021

**Proposed Int. 66-A:** By Council Members Cumbo, the Public Advocate (Mr. Williams), Gibson, Cabrera, Brannan, Powers, Levine, Lander, Dinowitz, Brooks-Powers, Adams, Riley, Levin, Rosenthal, Kallos, Menchaca, Louis, Moya, Koslowitz, Ampry-Samuel, Rose and D. Diaz

**Title:** A Local Law to amend the New York city charter, in relation to establishing an office for neighborhood safety and the prevention of gun violence

**Charter:** Adds new section 13-f

**Proposed Int. 2117-A:** By Council Members Powers and Kallos

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to requiring the posting of mayoral executive orders online within one business day of execution

**Administrative Code**: Amends section 3-113.1(2)

**Proposed Int. 2438-A:** By Council Members Rosenthal, Brooks-Powers, Ampry-Samuel, Menchaca, D. Diaz, Dinowitz, Ayala and Koo

**Title:** A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to expanding language access and requiring the inclusion of video content in the voter guide

**Charter**: Amends sections 1052 and 1053

**Admin Code**: Amends section 3-705(4)

# **Introduction**

On December 14, 2021, the Committee on Governmental Operations, chaired by Council Member Cabrera, will hold a second hearing and vote on the following legislation: Proposed Int. 66-A, sponsored by Council Member Cumbo, in relation to establishing an office for neighborhood safety and the prevention of gun violence and Proposed Int. 2438-A, sponsored by Council Member Rosenthal, in relation to expanding language access and requiring the inclusion of video content in the Voter Guide. It will also hold a hearing and vote on Proposed Int. 2117-A, sponsored by Council Member Powers, in relation to requiring the posting of mayoral executive orders online within one business day of execution.

# **Background**

# **The Mayor’s Office to Prevent Gun Violence**

# In February of 2017, Mayor de Blasio announced the creation of a new Office to Prevent Gun Violence (OPGV).[[1]](#footnote-1) The Office was established to oversee and expand upon the City’s existing anti-gun violence initiatives.[[2]](#footnote-2) Today, the core component of the OPGV’s work is the Crisis Management System (CMS).[[3]](#footnote-3) Arising out of a recommendation from the City Council’s Task Force to Combat Gun Violence,[[4]](#footnote-4) CMS utilizes a “cure violence” approach.[[5]](#footnote-5) It deploys teams of “violence interrupters”—members of the community whose backgrounds provide them with credibility among at-risk individuals—to identify and mediate potentially-violent conflicts and connect high-risk individuals with services. By connecting these individuals with services such as employment programs, mental health services, and trauma counseling, this approach is intended to reduce the risk of violence in the long term.[[6]](#footnote-6)

 In 2020, Mayor de Blasio placed the OPGV under the Mayor’s Office of Neighborhood Safety (ONS).[[7]](#footnote-7) Today, the ONS consists of three interdependent programs: the OPGV, the Mayor’s Action Plan for Neighborhood Safety (MAP), and Atlas.[[8]](#footnote-8) MAP is a community-based program that aims to reduce violent crime in 15 NYCHA developments across the City. Through its NeighborhoodStat initiative, MAP brings together residents, community stakeholders, and representatives from city agencies to identify and address the underlying drivers of crime in communities.[[9]](#footnote-9)

The Atlas program works directly with individuals facing criminal charges who are on pretrial release and are at heightened risk of future victimization or justice-system involvement.[[10]](#footnote-10) To promote well-being and overall safety, Atlas connects these individuals with therapeutic services, mentorship, education and employment opportunities, and other resources.[[11]](#footnote-11)

* 1. ***The Publishing of Mayoral Executive Orders***

As the City’s chief executive officer, the Mayor has the authority to issue orders to executive branch agencies, offices, divisions and bureaus. Generally, executive orders concern the implementation of laws and mayoral policies. Executive orders may be amended, modified or repealed by subsequent executive orders.

Currently, the City makes executive orders available online in two places. First, the Department of Records and Information Services (DORIS) maintains a website with all executive orders from 1974 to 2013, separated into pages for Mayors Abraham D. Beame (1974 - 1977), Edward I. Koch (1978 - 1989), David N. Dinkins (1990 - 1993), Rudolph W. Giuliani (1994 - 2001) and Michael R. Bloomberg (2002 - 2013).[[12]](#footnote-12) Separately, executive orders issued by current Mayor Bill de Blasio are posted to the “News” page of the website of the Office of the Mayor.[[13]](#footnote-13) To find executive orders, one must filter by type to separate them from press releases, statements, public schedules and other media hosted on the website.

Executive orders on both DORIS’ and Mayor de Blasio’s websites are posted in portable document format (“PDF”). Not every PDF enables readers to search within the executive order, but instead may present the document as a fixed image. Some executive orders include handwritten notes, such as DORIS’ publication of Executive Order No. 40 (1975), upon which is a handwritten annotation that it was amended by a subsequent executive order. Neither DORIS’ nor Mayor de Blasio’s websites allow one to search the text of multiple executive orders at once.

The Charter currently requires all Mayoral executive orders to be posted online within five business days of execution. Local Law 78 of 2020, which will become effective in 2023, will require the Corporation Counsel, head of the Law Department, to make available on a single page on the City’s website a compilation of all executive orders issued by mayors from 1974 to the present. Such compilation will be published in a searchable, machine-readable format, or formats that are capable of being downloaded in bulk. This compilation will indicate any executive order that has been explicitly superseded or amended by a later executive order with an annotation to the superseded or amended executive order.

* 1. ***The Voter Guide Published by the Campaign Finance Board***

The Charter requires the New York City Campaign Finance Board (CFB) to develop and publish a Voter Guide to inform New Yorkers about the candidates and referenda on the ballot in each election. For local elections, the CFB publishes a printed version of the Voter Guide that it mails to every household in the City with at least one registered voter. In addition, the CFB publishes an online version of the Voter Guide for every election held in the City—regardless of whether there are any local contests on the ballot.

According to the CFB, the Voter Guide allows New Yorkers to "meet the candidates" by viewing candidate profiles and video statements in which candidates speak about their principles, platforms, and values.[[14]](#footnote-14) Currently, the Voter Guide is made available in English, Spanish, Chinese, Korean, and Bengali, and the online version of the Voter Guide is screen reader compatible and meets industry guidelines for users with disabilities.[[15]](#footnote-15) In addition to being mailed to every voting household in the City, the printed Voter Guide is also made available at each branch of the New York Public Library, Brooklyn Public Library, or Queens Library, at the district office of every elected city representative.[[16]](#footnote-16)

# **Legislative Analysis**

**Proposed Int. 66-A**

Proposed Int. 66-A (Cumbo) would require the Mayor to establish an Office for Neighborhood Safety and the Prevention of Gun Violence. Such Office would be headed by a Director who would be appointed by the Mayor.

The purpose of the Office would be to address gun violence and public safety holistically, using an approach that considers socioeconomic and public health factors and that seeks to address the root causes of violence by: (i) developing and implementing trauma-informed responses to incidents of gun violence in geographic areas designated by the mayor; (ii) creating and distributing educational materials on conflict resolution and the prevention of gun violence; (iii) analyzing socioeconomic and public health challenges such as gun violence, mental health and economic opportunity; (iv) developing and implementing programs, initiatives and strategies that respond to the socioeconomic and public health challenges that impact public safety and the quality of life; and (v) developing and implementing programs, initiatives and strategies that increase community empowerment and engagement.

The Director of the Office would be responsible for advising the Mayor in planning and coordinating efforts among Mayoral agencies to prevent gun violence and enhance neighborhood safety. Such efforts may include programs and initiatives that have the goal of reducing and preventing violence, that are designed to co-create public safety and empower communities, that are designed to enhance trust within communities, and that are focused on supporting and strengthening the capacity of local community-based organizations and service providers.

The Director would also be required to implement a crisis management system for the City’s responses to incidents of gun violence. Such responses would be required to include the strategic deployment of violence interrupters, coordination of trauma-informed services, and such other coordination as the director may deem necessary and appropriate. In addition, the Director would be required to work with elected officials, community members, and other stakeholders to develop initiatives to enhance neighborhood safety, and, at the request of the Mayor, review budget request for programs related to neighborhood safety.

Each year on April 1st, the Office would be required to submit a report to the Mayor and the Speaker discussing gun violence prevention and neighborhood safety goals and concerns throughout the City. The report would also have to discuss the activities of the office during the previous calendar year, including the identification of neighborhoods or populations that are particularly vulnerable to gun violence or other crimes, information and metrics related to each programmatic initiative of the office, information and metrics related to the strategic outcomes and impacts of the office, and assessments of the availability and efficacy of resources needed to support the work of the office.

In addition, the Director would be required to conduct a public outreach and information campaign designed to address the prevention of gun violence and the importance of conflict resolution. Such outreach would need to include identifying partners, stakeholders and opportunities, as well as distributing materials and resources.

This bill would take effect 30 days after it becomes law, except that the public outreach campaign would be required to begin one year after this bill becomes law.

**Proposed Int. 2117-A**

 Proposed Int. 2117-A (Powers) would shorten the deadline for posting Mayoral executive orders online. Specifically, section two of the bill—which would take effect immediately—would require any Mayoral executive order issued on or after July 1, 2021 to be posted online within one business day of execution. In addition, section one of the bill—which would take effect on the same date that Local Law 78 of 2020 goes into effect[[17]](#footnote-17)—would require executive orders to be included on the searchable web page established by Local Law 78 within one business day of execution.

 Section two of the bill would be deemed repealed on the date that section one becomes effective.

**Proposed Int. 2438-A**

 Proposed Int. 2438-A (Rosenthal) would expand upon the CFB’s obligations when it comes to developing and publishing the Voter Guide. Specifically, the bill would codify the CFB’s current practice of publishing the Voter Guide in at least two formats (print and online) for local elections, and publishing the Voter Guide in at least an online format for non-local elections. The bill would also require the CFB to collaborate with good government groups, organizations representing people with disabilities and people with limited English proficiency, and city agencies, including the Mayor’s Office for People with Disabilities and the 311 Customer Service Center, in order to improve public awareness of candidates and proposals on the ballot in New York City. Each year, the CFB would be required to publish a list of the organizations with which it collaborates.

 Under Proposed Int. 2438-A, any information required by the Charter to be included in the printed Voter Guide would also be required to be included in the online Voter Guide. This would include information explaining when and how to vote in each local election, certain specified information about each local candidate, and information explaining any ballot proposals or referenda. The bill would also require both the print and online Voter Guides to be published in English and in each of the top ten non-English languages spoken in New York City.[[18]](#footnote-18)

In addition, the bill would require each online version of the Voter Guide to include a video statement from each candidate for Mayor, Comptroller, Public Advocate, Borough President, or City Council Member who has agreed to participate in such a video and has met any further requirements established by the CFB by rule. Such videos would be required to include information about the candidate, which may include a concise audio description. Each candidate video would need to be made available with American Sign Language translation as well as captioning in English and each of the top ten non-English languages spoken in the City. The CFB would be required to promulgate rules to ensure that such videos are accessible to people with visual disabilities and would be required to submit such videos to any city-owned and operated television channels for broadcast.

Under the bill, any candidate for Mayor, Comptroller, Public Advocate, Borough President, or City Council Member who participates in the public matching funds programs and does not create a candidate video for inclusion in the online Voter Guide would be subject to non-payment of 5% of their public matching funds. The bill would require the Voter Guide to include a statement informing voters of this rule.

For any election in which the Charter requires the CFB to publish a printed Voter Guide, this bill would require the CFB to collaborate with public libraries and other organizations to cause the information the printed Voter Guide to be made available in a format that is accessible to individuals with print or visual disabilities.

This bill would take effect on January 1, 2023.

Proposed Int. No. 66-A

By Council Members Cumbo, the Public Advocate (Mr. Williams), Gibson, Cabrera, Brannan, Powers, Levine, and Lander

..Title

A Local Law to amend the New York city charter, in relation to establishing an office for neighborhood safety and the prevention of gun violence

..Body

Be it enacted by the Council as follows:

Section 1. The New York city charter is amended by adding a new section 13-f to read as follows:

§ 13-f Office for neighborhood safety and the prevention of gun violence. a. The mayor shall establish an office for neighborhood safety and the prevention of gun violence. Such office may, but need not, be established in the executive office of the mayor and may be established as a separate office within any other office of the mayor. Such office shall be headed by a director who shall be appointed by the mayor. For the purposes of this section, the term "director" means the director of the office for neighborhood safety and the prevention of gun violence.

b. The purpose of the office for neighborhood safety and the prevention of gun violence shall be to address gun violence and public safety holistically, using an approach that considers socioeconomic and public health factors and seeks to address the root causes of violence by:

1. Developing and implementing trauma-informed responses to incidents of gun violence in geographic areas designated by the mayor;

2. Creating and distributing educational materials on conflict resolution and the prevention of gun violence;

3. Analyzing socioeconomic and public health challenges that include, but are not limited to, gun violence, mental health and economic opportunity;

4. Developing and implementing programs, initiatives and strategies that respond to the socioeconomic and public health challenges that impact public safety and the quality of life; and

5. Developing and implementing programs, initiatives and strategies that increase community empowerment and engagement.

c. The director of the office for neighborhood safety and the prevention of gun violence shall have the power and the duty to:

1. Advise and assist the mayor in planning, developing and coordinating efforts among agencies under the jurisdiction of the mayor to prevent gun violence and enhance neighborhood safety in geographic areas designated by the mayor, elected officials and other interested groups and individuals. These efforts shall be holistic and employ an approach, based on socioeconomic and public health considerations, that addresses the root causes of violence. Such efforts may include, but are not limited to, the development and implementation of programs, initiatives and strategies that:

(a) have the goal of reducing and preventing violence, including but not limited to gun violence;

(b) are designed to co-create public safety with and empower communities;

(c) are designed to enhance trust within communities; and

(d) are focused on supporting and strengthening the capacity of local community-based organizations and service providers. Such support and strengthening shall include the provision of services and programs designed to assist such organizations and service providers in developing the competencies and skills that improve their ability to fulfill their missions;

2. Create and implement a crisis management system for the city’s response to incidents of gun violence in geographic areas designated by the mayor, applying the approach described in subdivision b of this section. Such system’s responses to incidents of gun violence shall include, but are not limited to:

(a) The strategic deployment of violence interrupters to the geographic area affected by incidents of gun violence;

(b) Coordination of trauma-informed services to the geographic area affected by incidents of gun violence;

(c) Coordination of trauma-informed services to the family and close contacts of the victims of incidents of gun violence; and

(d) Such other support as the director, at the request of the mayor, may deem necessary for an appropriate response to incidents of gun violence;

3. Work with elected officials, other interested groups and individuals, and members of communities in geographic areas designated by the mayor, to identify and develop programs, initiatives and strategies to enhance neighborhood safety by increasing community empowerment and engagement;

4. At the request of the mayor, review the budget requests of all agencies for programs related to neighborhood safety, recommend budget priorities among such programs and assist the mayor in prioritizing and implementing such requests;

5. No later than April 1, 2023 and no later than each April 1 of every year thereafter, the office shall provide to the speaker of the council and post on the office’s website a report discussing gun violence prevention and neighborhood safety goals and concerns throughout the city, as well as the activities of the office during the previous calendar year, including, but not limited to, the following:

(a) identification of neighborhoods or populations within the city that are particularly vulnerable to gun violence and other crimes which the office deems relevant to its mission;

(b) information and metrics related to each programmatic initiative of the office, including initiatives conducted in partnership with other offices, agencies, and community-based organizations;

(c) information and metrics relating to the strategic outcomes and impacts of the work of the office, including outcomes and impacts that are indicative of neighborhood safety. Such factors may include, but are not limited to, quality of life and public health assessments, and rates and impacts of crime, including but not limited to, crimes involving guns;

(d) assessment of the availability and efficacy of various resources and services needed to support or enhance the work of the office and related outcomes, and recommendations for the improvement of such resources and services; and

6. Perform such other duties as the mayor may assign.

d. The director shall conduct a public information and outreach campaign designed to address the prevention of gun violence and the importance of conflict resolution. Such outreach shall at a minimum include (i) identifying community outreach partners, stakeholders and opportunities; and (ii) distributing materials and resources. The department shall consult with individuals and organizations with expertise in conflict resolution and the prevention of gun violence in the development of such public information and outreach campaign.

§ 2. This local law takes effect 30 days after it becomes law; provided, however, that subdivision d of section 13-f of the New York city charter, as added by section one of this local law, shall take effect 1 year after it becomes law.

DA (2017)/MMB (2018)

LS # 6781/Int. 1470-2017

NEW LS # 1011

12/07/2021\_4:07PM

Proposed Int. No. 2117-A

By Council Members Powers and Kallos

..Title

A Local Law to amend the administrative code of the city of New York, in relation to requiring the posting of mayoral executive orders online within one business day of execution

..Body

Be it enacted by the Council as follows:

Section 1. Paragraph (2) of subdivision a of section 3-113.1 of the administrative code of the city of New York, as amended by local law number 78 for the year 2020, is amended to read as follows:

(2) [All mayoral] Mayoral executive orders [issued on or after July 1, 2011] shall be provided to the council and made available on the city's website in accordance with paragraph (1) of this subdivision within [five business days] one business day from the date of execution.

§ 2. All mayoral executive orders issued on or after July 1, 2022 shall be provided to the council and made available on the city's website one business day from the date of execution. This section shall not be construed to create a private right of action to enforce its provisions. Failure to comply with the requirement of this section shall not result in the invalidation of any mayoral executive order or any action taken pursuant to such executive order.

§ 3. This local law takes effect immediately, provided, however, that section one of this local law shall take effect on the same date that local law number 78 for the year 2020 takes effect, and provided further that section two of this local law shall be deemed repealed on such date.

NAB/cjm

LS #16100

12/07/2021\_9:36PM

Proposed Int. No. 2438-A

By Council Member Rosenthal

..Title

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to expanding language access and requiring the inclusion of video content in the voter guide

..Body

Be it enacted by the Council as follows:

Section 1. Paragraphs 1 and 2 of subdivision b of section 1052 of the New York city charter, paragraph 1 as amended by local law number 170 for the year 2016, and paragraph 2 as added by such local law, are amended, and a new paragraph 4 is added, to read as follows:

1. The board shall take such actions as it deems necessary and appropriate to improve public awareness of the candidates, ballot proposals or referenda in all elections in which there are contested elections for the offices of mayor, public advocate, borough presidents, comptroller, or city council or ballot proposals or referenda pursuant to this charter or the municipal home rule law, including but not necessarily limited to the publication of a non-partisan, impartial voter guide in at least [one media format] two media formats, including but not necessarily limited to a printed voter guide and a voter guide to be published online, providing information on candidates, ballot proposals and referenda, and the distribution of one copy of such printed guide to each household in which there is at least one registered voter eligible to vote in the election involved. A voter may opt out of receiving a [printed] copy of such printed guide and the board shall comply with this request to the extent feasible.

2. The board shall also take such actions as it deems necessary and appropriate to improve public awareness of the candidates in all other contested elections held in the city of New York for any city, county, state, or federal office or ballot proposals or referenda pursuant to city, county, state, or federal law, including but not necessarily limited to the publication of a non-partisan, impartial voter guide in at least one media format, including but not necessarily limited to a voter guide to be published online, providing information on such candidates, ballot proposals or referenda. [The board shall coordinate with other agencies in general and specialized efforts to improve public awareness of such candidates, proposals, or referenda.]

 4. The board shall coordinate with good government organizations, organizations representing or run by people with disabilities, organizations representing or run by people with limited English proficiency, and other agencies, including but not necessarily limited to the mayor’s office for people with disabilities and the 311 customer service center, as necessary to improve public awareness of candidates, proposals, and referenda as provided by this chapter. The board shall publish on an annual basis the names of any organizations with which it collaborates pursuant to this paragraph.

§ 2. Section 1053 of the New York city charter, as amended by local law number 88 for the year 2017, is amended to read as follows:

§ 1053 Voter guide. a. For all elections in which there are contested elections for the offices of mayor, public advocate, borough presidents, comptroller, or city council or ballot proposals or referenda pursuant to this charter or the municipal home rule law, each printed and online voter guide published by the board shall contain:

1. material explaining the date and hours during which the polls will be open for that election; when, where, and how to register to vote; when [a citizen] an eligible voter is required to reregister; when, where, and how absentee ballots are obtained and used; instructions on how to vote; information on the political subdivisions applicable to a particular [citizen’s] voter’s address; and any other general information on voting deemed by the board to be necessary or useful to the electorate or otherwise consistent with the goals of this charter;

2. such tables of contents, graphics, and other materials which the board determines will make the voter guide easier to understand or more useful for the average voter;

3. information on each candidate, [including] which shall include but need not be limited to name, party affiliation, present and previous public offices held, present occupation and employer, prior employment and other public service experience, educational background, a listing of major organizational affiliations and endorsements, [and] a concise statement by each candidate of [his or her] such candidate’s principles, platforms or views, and any other information required by the board by rule;

4. where there is a ballot proposal or referendum, concise statements explaining such proposal or referendum and an abstract of each such proposal or referendum; and

5. For a printed voter guide mailed in connection with the citywide primary and general elections held every four years, such printed voter guide shall include for each registered voter a list of the primary and general elections held over the previous four calendar years for which, according to the records of the board of elections, such voter was registered to vote and whether such voter voted in each such election. Such information may be printed separately from such printed voter guide, provided that it is included with the mailing of such printed voter guide.

b. For all other elections in which there are contested elections held in the city of New York for any city, county, state, or federal office or ballot proposals or referenda pursuant to city, county, state, or federal law, each voter guide shall contain information that the board deems necessary or useful to the electorate or is otherwise consistent with the board’s responsibility under this chapter to improve public awareness of candidates, ballot proposals, or referenda.

c. [Voter] All board-generated content in the voter guides shall be prepared in plain language using words with common and everyday meanings.

d. The board shall prepare and publish each voter guide, regardless of format, in English and in each of the designated citywide languages as defined in section 23-1101 of the administrative code and shall promulgate such rules as it deems necessary for the preparation and publication of voter guides in [English, Spanish and] any other languages the board determines to be necessary and appropriate [and for the distribution of the guide in at least one media format]. The purpose of such rules shall be to ensure that the guide and its distribution will serve to fully, fairly and impartially inform the public about the issues and candidates appearing on the ballot.

e. 1. The online voter guide published by the board pursuant to paragraph 1 of subdivision b of section 1052 of this charter shall include a brief video statement from each candidate who:

(a) is on the ballot in a contested primary or general election for the office of mayor, public advocate, borough president, comptroller or city council;

(b) has agreed to participate in such a candidate video statement; and

(c) has met any further requirements established by the board by rule.

2. Each such candidate video statement shall contain information regarding the candidate, which may include but need not be limited to, a concise audio description of the candidate.

3. For each candidate video statement included in the online voter guide pursuant to this subdivision, the board shall ensure that viewers have the ability to view such video statement with captioning in English and each of the designated citywide languages as defined in section 23-1101 of the administrative code, as well as the ability to view such video statement with American Sign Language translation.

4. The board shall promulgate rules to ensure that any candidate video statements included in the online voter guide are accessible to individuals with visual disabilities and may promulgate any additional rules that it determines to be necessary for the implementation of this subdivision.

5. The board shall make all candidate video statements created pursuant to this subdivision available to any city-owned or operated television channels for broadcast on such channels.

6. Each voter guide shall contain a statement informing voters that a participating candidate who is on the ballot in a contested primary or general election for the office of mayor, public advocate, borough president, comptroller or city council shall be subject to non-payment of five percent of such candidate’s public funds payments if such candidate does not participate in a candidate video statement.

 f. For any election in which the board publishes a printed voter guide pursuant to subdivision b of section 1052 of this charter, the board shall collaborate with public libraries and other organizations, as necessary, to cause the information in such printed voter guide to be made available in a format that is accessible to individuals with print or visual disabilities.

§ 3. Subdivision 4 of section 3-705 of the administrative code of the city of New York, as amended by local law number 128 for the year 2019, is amended to read as follows:

For contributions reported less than ninety days before a covered general election, less than forty-five days before a covered primary election, or less than thirty days before any other covered election, the campaign finance board shall make possible payment within four business days after receipt of reports of matchable contributions, or as soon thereafter as is practicable; provided, however, that the board shall withhold [up to] five percent of all public funds payments to participating candidates until the final pre-election payment for any given election; and further provided that, in addition to any other reason for withholding or non-payment pursuant to applicable law or board rules, such withheld funds shall not be payable to any candidate who is on the ballot in a contested primary or general election for the office of mayor, public advocate, borough president, comptroller or city council and fails to provide, to the satisfaction of the board, such submissions as may be requested by the board for the purpose of publishing a video statement in the online voter guide. The board shall schedule payment dates on December 15 of the year preceding the year of election, as well as January 15, February 15, March 15, April 15 and a minimum of three payment dates within the forty-five days prior to a covered primary election, a payment date of July 15 and a minimum of four payment dates within the ninety days prior to a covered general election, and a minimum of three payment dates within the thirty days prior to any other covered election. A written certification pursuant to paragraph (c) of subdivision 1 of section 3-703 shall be required to have been filed no less than fifteen business days prior to the December 15, January 15, February 15, March 15, April 15, or July 15 payment dates scheduled pursuant to this subdivision, for a participating candidate to receive public funds on such payment date. For purposes of such payment dates, the board shall provide each candidate with a written determination specifying the basis for any non-payment. The board shall provide candidates with a process by which they may immediately upon receipt of such determination petition the board for reconsideration of any such non-payment and such reconsideration shall occur within five business days of the filing of such petition. In the event that the board denies such petition then it shall immediately notify the candidate of [his or her] such candidate’s right to bring a special proceeding pursuant to article 78 of the civil practice law and rules.

§ 4. This local law takes effect January 1, 2023.

JEF/cjm

LS #18009

12/06/2021\_10:08PM

1. *See* Press Release, Mayor de Blasio, City Council Launch Mayor's Office to Prevent Gun Violence (February 2017), <https://www1.nyc.gov/office-of-the-mayor/news/064-17/mayor-de-blasio-city-council-launch-mayor-s-office-prevent-gun-violence#/0>. [↑](#footnote-ref-1)
2. *See* J. Brian Charles, *A Plan to Combat Gun Violence That Doesn't Focus on Guns*, Governing (August 24, 2017), <https://www.governing.com/archive/gov-new-york-cure-violence-gun.html>. [↑](#footnote-ref-2)
3. New York City Mayor’s Office of Criminal Justice, The Office of Neighborhood Safety, <https://criminaljustice.cityofnewyork.us/programs/ons/> (last accessed October 12, 2021). [↑](#footnote-ref-3)
4. *See* New York City Council Task Force to Combat Gun Violence, Report to City Council Speaker Christine C. Quinn (2012), <http://council.nyc.gov/press/wp-content/uploads/sites/56/2016/12/gvtfreport.pdf>. [↑](#footnote-ref-4)
5. *See* NYC Mayor’s Office to Prevent Gun Violence, Crisis Management, <https://www1.nyc.gov/site/peacenyc/interventions/crisis-management.page> (last accessed October 12, 2021). [↑](#footnote-ref-5)
6. *See id.*; NYC Mayor’s Office of Criminal Justice, The Office of Neighborhood Safety, <https://criminaljustice.cityofnewyork.us/programs/ons/> (last accessed October 12, 2021). [↑](#footnote-ref-6)
7. *See* NYC Mayor’s Office of Criminal Justice, The Office of Neighborhood Safety, <https://criminaljustice.cityofnewyork.us/programs/ons/> (last accessed October 12, 2021). [↑](#footnote-ref-7)
8. *Id.* [↑](#footnote-ref-8)
9. *See id.*; Mayor’s Action Plan for Neighborhood Safety, Learn About Map, <https://map.cityofnewyork.us/learn-about-map/> (last accessed October 13, 2021). [↑](#footnote-ref-9)
10. NYC Mayor’s Office of Criminal Justice, The Office of Neighborhood Safety, <https://criminaljustice.cityofnewyork.us/programs/ons/> (last accessed October 12, 2021). [↑](#footnote-ref-10)
11. *Id.* [↑](#footnote-ref-11)
12. DORIS, Mayor's Office Executive Orders 1974 – 2013, <https://www1.nyc.gov/site/records/historical-records/executive-orders.page> (last visited December 10, 2021). [↑](#footnote-ref-12)
13. Office of the Mayor, News, <https://www1.nyc.gov/site/records/historical-records/executive-orders.page> (last visited December 10, 2021). [↑](#footnote-ref-13)
14. *See* NYC Campaign Finance Board, NYC's Official Voter Guide is Now Available, <https://www.nyccfb.info/media/press-releases/nyc-official-voter-guide-2021/> (last visited December 10, 2021). [↑](#footnote-ref-14)
15. *See id.* [↑](#footnote-ref-15)
16. *Id.*  [↑](#footnote-ref-16)
17. Local Law 78 of 2020 goes into effect two years after the expiration of the state disaster emergency declared by Governor Cuomo in executive order number 202, dated March 7, 2020. This state disaster emergency expired on June 24, 2021. *See* Press Release: Governor Cuomo Announces New York Ending COVID-19 State Disaster Emergency on June 24, <https://www.governor.ny.gov/news/governor-cuomo-announces-new-york-ending-covid-19-state-disaster-emergency-june-24>. [↑](#footnote-ref-17)
18. Currently, these include Spanish, Chinese, Russian, Bengali, Haitian, Korean, Arabic, Urdu, French, and Polish. *See* NYC Mayor’s Office of Immigrant Affair, Language Access, <https://www1.nyc.gov/site/immigrants/about/language-and-disability-access.page> (last visited December 10, 2021). [↑](#footnote-ref-18)