Int. No. 2313

By Council Members Rodriguez, the Speaker (Council Member Johnson), Feliz, Kallos, Lander, Chin, Brooks-Powers, Barron, Rivera, Louis and Rose (in conjunction with the Brooklyn Borough President)

..Title

A Local Law to amend the New York city charter, in relation to the establishment of an office of ethnic and community media and requirements regarding agency spending on advertising

..Body

Be it enacted by the Council as follows:

Section 1. The New York city charter is amended by adding a new chapter 77 to read as follows:

CHAPTER 77

OFFICE OF ETHNIC AND COMMUNITY MEDIA

§ 3300. Office of ethnic and community media; executive director. There shall be an office of ethnic and community media. 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 or within any department, the head of which is appointed by the mayor. Such office shall be headed by an executive director of ethnic and community media who shall be appointed by the mayor or, if the office is established within a department, designated by the head of such department.

§ 3301. Definitions. As used in this chapter, the following terms have the following meanings:

Agency. The term “agency” means any agency under the jurisdiction of the mayor. It does not include the department of education, the New York city health and hospitals corporation and the New York city housing authority.

Ethnic and community media. The term “ethnic and community media” means any print or digital publication or television or radio outlet that is created for communities of people based on native language, race, color, gender, national origin, ethnicity, religion, sexual orientation, disability or immigrant status; targets a discrete neighborhood, geographic region or population that may or may not typically receive information from mainstream publications because of their exclusive use of a language other than English; or falls within a specifically tailored subject matter as determined by the mayor or the mayor’s designee.

Executive director. The term “executive director” means the executive director of ethnic and community media.

Television or radio outlet. The term “television or radio outlet” means any television or radio outlet with five or fewer staff members.

§ 3302. Deputies. The mayor or the mayor’s designee may appoint deputies and staff within available appropriations. One of these positions may be a citywide marketing director who shall report to the executive director.

§ 3303. Powers and duties. The executive director shall have the power and duty to perform the following functions related to ethnic and community media:

a. Advise and assist the mayor in coordinating the communication of government-related information to the public.

b. Ensure, along with the citywide marketing director as appropriate, that agencies, as well as the department of education, the New York city health and hospitals corporation and the New York city housing authority, deliver a unified message to the public.

c. Ensure that agencies distribute advertising resources pursuant to section 3304.

d. Work with the department of education, the New York city health and hospitals corporation and the New York city housing authority to ensure that advertising resources are distributed equitably across the city’s diverse communities.

e. Develop and maintain a list of ethnic and community media outlets that promote and exemplify the city’s many interconnected communities.

f. Promulgate guidelines regarding the issuing of waivers pursuant to section 3304.

g. Beginning one year after the effective date of this chapter and annually thereafter, prepare and submit to the mayor and the speaker of the council a report on annual advertising of each agency and the department of education, the New York city health and hospitals corporation and the New York city housing authority. Such report shall include, but need not be limited to, the total amount each entity spent on advertising, the total amount each entity spent on ethnic and community media and any waiver granted pursuant to section 3304.

h. Hold at least one annual training for city officers and employees responsible for purchasing advertising.

i. Coordinate among agencies and minority- and women-owned ethnic and community media outlets to improve agencies’ ability to contract with such media outlets on projects including, but not limited to, media campaigns and special projects tailored to specific ethnic communities or groups.

§ 3304. Advertising spending. a. Each agency shall ensure that at least 50 percent of its annual advertising spending for print and digital publications and television and radio outlets goes toward ethnic and community media outlets, except that agencies may apply to the executive director for a waiver from such requirement.

b. To the extent that these requirements conflict with an agency’s requirement to comply with legal and statutory notices that require posting or distribution in publications or media pursuant to local, state or other applicable law, such notices are exempt from the requirements of this section. For the purposes of this exemption, an agency may subtract the publication cost of such legally required notices from its total advertising budget before calculating its required ethnic and community media spending pursuant to subdivision a.

c. When purchasing advertising, an agency shall give priority to local, minority- and women-owned ethnic and community media outlets whenever practicable.

§ 2. This local law takes effect 45 days after it becomes law.

SG

LS #17580

5/7/21