Legislation Details (With Text)

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Title:	A Local Law to amend the administrative code of the city of New York, in relation to prohibiting non-disclosure agreements relating to development projects				
Sponsors:	Public Advocate Jumaane Williams, Diana I. Ayala, Jennifer Gutiérrez, Farah N. Louis, Lincoln Restler, Crystal Hudson				
Indexes:					
Attachments:	1. Summary of Int. No. 707, 2. Int. No. 707, 3. March 19, 2024 - Stated Meeting Agenda, 4. Hearing Transcript - Stated Meeting 3-19-24				

Date	Ver.	Action By	Action	Result
3/19/2024	*	City Council	Introduced by Council	
3/19/2024	*	City Council	Referred to Comm by Council	

Int. No. 707

By the Public Advocate (Mr. Williams) and Council Members Ayala, Gutiérrez, Louis, Restler and Hudson

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting non-disclosure agreements relating to development projects

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 6 the administrative code of the city of New York is amended by adding a new section 6-147 to read as follows:

§ 6-147 Non-disclosure agreements relating to city development projects prohibited. a. Definitions. For purposes of this section, the following terms have the following meanings:

City development project. The term "city development project" means a project undertaken by the city or a city economic development entity for the purpose of improvement or development of real property, economic development, job retention or growth, or other similar purposes.

City economic development entity. The term "city economic development entity" means a local

development corporation, not-for-profit organization, public benefit corporation or other entity that provides or administers economic development benefits on behalf of the city pursuant to paragraph b of subdivision 1 of section 1301 of the charter.

Developer. The term "developer" means any person that owns or leases real property that is part of a city development project, or any assignee or successor in interest of such real property.

Project agreement. The term "project agreement" means a legal binding written agreement between the city or city economic development entity and a developer providing for economic development benefits targeted to a city development project.

b. The city or a city economic development entity shall not, at any point during negotiations with a prospective developer regarding a prospective city development project, enter into any agreement or contract containing any provision, clause or language that prevents disclosure of any information or record relating to such city development project. The provisions of this subdivision apply to (i) any agreement or contract relating to a prospective city development project entered into by the city or a city economic development entity prior to the execution of a project agreement and (ii) any project agreement entered into by the city or a city economic development entity.

c. Any provision, clause or language contained in any agreement or contract entered into by the city or a city economic development entity that violates this section has no force and effect.

d. Nothing in this section requires disclosure of information that is otherwise prohibited or exempted from disclosure by applicable federal, state or local law.

e. This local law does not apply to any project agreement executed prior to the effective date of this local law, except that extension, renewal, amendment or modification of such project agreement, occurring on or after the effective date of this local law, that results in the grant of any additional economic development benefits to a developer shall make such developer subject to the requirements of this local law.

§ 2. This local law takes effect 180 days after it becomes law.

Session 13
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1/10/2024

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ARP
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