

Ethics Laws: An Overview

Ethics laws provide guidance and standards for the conduct of elected public officials and employees. New York State law (General Municipal Law § 806(1)(a)) requires that the governing body for each county, city, town and village adopt an ethics code setting forth the standard of conduct that is expected of its municipal officers and employees. The standards that ethics codes must provide include:

- disclosure of interest in legislation before the local governing body;
- holding of investments in conflict with official duties;
- private employment in conflict with official duties;
- future employment.

The ethics codes are not limited to these items and may include other standards of conduct.



Ethics Boards

Another section of law (General Municipal Law §§ 808(1) and 808(3)) authorizes the governing body of any county, city, town or village to establish a Board of Ethics.

Ethics Boards can serve several functions. They can render advisory opinions to municipalities concerning conflicts of interests and to the code of ethics adopted by the municipality. A board may also make recommendations on drafting and adopting a code of ethics or amendments to the code, upon the request of the municipality's governing body.

Furthermore, New York State law provides for local conflict of interest issues to be resolved through local ethics boards. Through enactment of a local law, a local government may grant to its board of ethics the authority to receive complaints alleging violations of ethics regulations, to investigate these complaints, and to conduct investigations on its own initiative as to whether violations of ethics standards have occurred. The Board may be given enforcement authority and the local law may provide for administering penalties.

How an Ethics Board Gets Created

Ethics Boards may be established by the governing body of any county, city, town or village by local law, ordinance or resolution.

County ethics boards must consist of at least three members. The majority of the members may not be officers or employees of the county or of any municipality wholly or par-

tially located in the county. At least one member must be an elected or appointed officer or employee of the county or municipality located within the county. Board members are not compensated for their services.

Ethics boards for any other municipality (other than a county) must consist of at least three members, a majority of whom are not otherwise officers or employees of the municipality. The board must include at least one member who is an elected or appointed municipal officer or employee.

County boards of ethics may not act with regard to officers and employees of any municipality within the county if the municipality has established its own board of ethics, unless the local board refers a matter to the county.

The Office of the Attorney General

Attorney General Schneiderman has made public integrity a priority in his administration, establishing a Taxpayer Protection Bureau and appointing a public integrity officer in each of the regional offices. The regional offices can assist municipalities by answering questions and by providing samples of local laws enacting ethics codes and ethics boards. You will find contact information for regional and executive offices on the back of this brochure.



**New York State Attorney General
Eric T. Schneiderman**

Dear New Yorkers,



Local government is most effective when its citizens are confident that their elected officials are doing the right thing. Enacting an ethics code and creating a process to review ethics complaints are an important first step that all local governments should take.

It is the responsibility of any government to do all it can to earn the public's trust. This brochure discusses New York State's ethics regulations and what local governments can do to establish their own code of conduct and review process. If you have any questions or would like to know more about how my office can help, please don't hesitate to contact the regional office closest to you.

Sincerely,

Eric T. Schneiderman



OFFICE OF THE NEW YORK STATE
ATTORNEY GENERAL
www.ag.ny.gov
The Capitol, Albany, NY 12224
518-474-7330

Regional Offices

Albany	518-474-9705
Binghamton	607-721-8771
Brooklyn	718-722-3949
Buffalo	716-853-8400
Harlem	212-961-4475
Nassau	516-248-3302
New York City	212-416-8000
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Syracuse	315-448-4800
Suffolk	631-231-2424
Utica	315-793-2225
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Westchester	914-422-8755



New York State
Attorney General
Eric T. Schneiderman

Local Ethics Codes GET IT IN WRITING

