Monroe County Legislature

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To The Honorable
Monroe County Legislature
39 West Main Street
Rochester, NY 14614

Re: Enacting a Local Law Entitled the Candidate Disclosure Act

Honorable Legislators:

Running for office is like applying for a job. Voters cannot properly assess candidates without accurate biographical information, such as education, military and work history.

Monroe County's elected officials must truthfully represent details of their lives in order to maintain the public's trust. In an age of declining news coverage of local political races, dark money spent on campaigns, and lack of fact-checking on social media, an additional layer of protection for voters is necessary. At the federal level, we've seen egregious examples of the electorate choosing candidates based on false or incomplete information. We should do what we can to prevent this from happening in Monroe County.

This legislation would require all candidates for Monroe County offices who have qualified for the ballot to complete a Candidate Disclosure Form with the following information:

1. The full legal or chosen name of the candidate;
2. The names of all post-secondary educational institutions;
3. The names and addresses of all full-time employment from 10 years before candidacy;

4. Dates of employment and titles held; and
5. Military service, along with highest rank held and type of discharge.

The disclosure forms would be publicly available and subject to legally-required redactions. Candidates could request redactions of information that could impact their safety. Candidates for office in 2023 would have to comply with this local law, prior to the election to be held on November 7, 2023.

The Candidate Disclosure Act would enhance transparency and integrity in Monroe County, and ensure those seeking public office are held to high standards of honesty and accountability.

This proposal will have no impact on the revenue or expenditures of the current Monroe County Budget.

Respectfully Submitted,

Rachel Barnhart
Legislator – District 21

By Legislator Barnhart

Intro No. ____

LOCAL LAW ___ OF 2023

ENACTING A LOCAL LAW ENTITLED THE "CANDIDATE DISCLOSURE ACT"

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. Section 45-16 of the Administrative Local Laws of Monroe County is amended to read as follows:

§45-16 Filing annual statements of financial or business interests

A. Time limit for filing; form of statement.

(1) Every person holding the positions set forth in Subsection B below shall, on or after December 15 and before the following April 15 in each year, file with the Monroe County Board of Ethics a written statement in the form appended hereto as Appendix A-1.

(2) In addition, every person holding the positions set forth in Subsection B below who is married and/or has any unemancipated children shall, on or after December 15 and before the following April 15 in each year, file with the Monroe County Board of Ethics a written statement in the form appended hereto as Appendix A-2.

(3) Any person who is required to file a written statement pursuant to this section may request, prior to April 15 of each year, an extension of filing for an additional specific period of time. Such request shall be made in writing to the Board of Ethics, with approval thereof based upon substantiation of justifiable cause or undue hardship. The Board of Ethics may grant or deny the request, by vote of its membership, and extensions shall be for the specific period of additional time requested.

(4) Any person required to file a written statement pursuant to this section, who becomes so required after April 15 of the year for which employment is in effect, shall file the appropriate annual statement within 30 days after becoming so required.

(5) The information set forth in a written statement filed pursuant to this section shall be available for public inspection pursuant to Article 6 of the Public Officers Law of the

State of New York, excepting and excluding, however, the categories of value or amount and any other item of information deleted pursuant to Paragraph h of Subdivision 9 of § 813 of the General Municipal Law, all of which shall remain confidential.

B. Persons holding the following positions shall file annual statements, as required in Subsection A above: all elective County officers, including County Legislators, County Executive, Sheriff, County Clerk and District Attorney; and all appointive County officers and employees holding positions in salary groups 19 and above on Salary Schedule A, or equivalent salary groups on other salary schedules.

C. In the event that an uncertainty arises as to whether a person is required to file an annual statement hereunder, any such uncertainty shall be resolved by the Board of Ethics.

D. Candidate Disclosures

(1) No later than 30 days following the nomination or designation pursuant to the applicable provisions of the New York Election Law of a candidate or candidates for the positions of County Executive and County Legislator, any such candidate shall file with the Monroe County Board of Ethics a "Candidate Disclosure Form," to be promulgated by the Board of Ethics, that requires disclosure of the following information:

(a) The full legal or chosen name of the candidate, as well as any previously used legal names;

(b) The date of birth of the candidate;

(c) The names of all high schools, and post-secondary educational institutions (including, but not limited to, trade or vocation schools, colleges, and graduate programs) enrolled in by the candidate, along with dates of enrollment, whether the candidate graduated, and if so. the month and year of graduation and the degree awarded;

(d) The names and addresses of all full-time employment held by the candidate in the 10 years prior to candidacy, including the dates of employment and titles held, nature of the business, and type of employment (such as self-employed, contract, or employee); and

(e) Military service by the candidate. including dates of service, branch of the military, highest rank held, and type of discharge;

(f) A notarized certification by the candidate that the information contained therein is accurate and complete to the best of the candidate's knowledge. The form shall be provided to candidates by the Board of Ethics upon the candidate's nomination or designation. This form shall be in addition to, not in lieu of, the annual financial disclosure form required by Subsection A. Further, this form shall be subject to public disclosure in its entirety. other than: the month and day of the candidate's

birth and any information that is mandatorily subject to redaction by state or federal law. Candidates can request in writing to the Board of Ethics redactions related to information that poses a threat to the safety of themselves and/or their families.

Section 2. This Local Law shall take effect 30 days after enactment, except that the Board of Ethics may promulgate the form required prior to the effective date of the law. For any candidate nominated or designated for the position of County Legislator or County Executive who is a candidate in an election yet to be held at the time of the effective date of this local law, a Candidate Disclosure Form shall be filed with the Monroe County Board of Ethics no later than 30 days after the effective date of this local law.

Section 3. This local law shall take effect in accordance with the provisions of the Municipal Home Rule Law and Monroe County Charter.

_____ Committee; _____ ___, 2023 - CV:

File No. - ___ LL

ADOPTION: Date: _____   Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____   VETOED: _____

SIGNATURE: _____ DATE: _____