

**RESOLUTION NO. 111-2021, ADOPTING LOCAL LAW
NO. 11-2021, A LOCAL LAW AMENDING THE SUFFOLK
COUNTY ADMINISTRATIVE CODE TO INCREASE
TRANSPARENCY FOR GIFTS RECEIVED BY THE COUNTY**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on December 15, 2020, a proposed local law entitled, "**A LOCAL LAW AMENDING THE SUFFOLK COUNTY ADMINISTRATIVE CODE TO INCREASE TRANSPARENCY FOR GIFTS RECEIVED BY THE COUNTY**"; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. 11-2021, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW AMENDING THE SUFFOLK COUNTY
ADMINISTRATIVE CODE TO INCREASE TRANSPARENCY FOR
GIFTS RECEIVED BY THE COUNTY**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Suffolk County receives requests from companies, organizations, and private individuals to donate items or funds to specific County departments.

This Legislature also finds and determines that when gifts are provided to the County, the Legislature should be assured that such gifts are given freely without any expectation of benefit from the County.

This Legislature further determines that to prevent even the appearance of impropriety and ensure compliance with ethics laws, the acceptance of gifts and donations should be made more transparent.

This Legislature finds that to improve the process for accepting gifts and donations to the County, the Office of Central Procurement should develop a form which the donor of a gift must complete to ensure the gift is free of any improprieties.

Therefore, the purpose of this law is to amend Article III of the SUFFOLK COUNTY ADMINISTRATIVE CODE to require the donor of a gift to the County to complete a form, which will be filed with the Clerk of the Legislature, to ensure that the gift is being provided freely and appropriately.

Section 2. Amendments.

Article III of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

Article III.
COUNTY EXECUTIVE

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§ A3-10. Acceptance of gifts and insurance proceeds.

A. An unconditional gift or bequest received from any source may be accepted and appropriated by order of the County Executive, after a statement of the amount and source of said gift and of the proposed appropriation has been duly filed with the Clerk of the County Legislature.

B. Any conditional gift or bequest from any source, not exceeding \$5,000, may be accepted and appropriated by order of the County Executive, after a statement of the amount, source, terms and conditions of such gift or bequest and of the proposed appropriation has been duly filed with the Clerk of the County Legislature.

C. Upon providing a gift to the County under either paragraphs "A" or "B" of this section, the source providing the gift shall complete a form, developed by the County Office of Central Procurement, which states: the specific nature of the gift, the value of the gift, the name of the donor, the name of the recipient office or department where applicable, and an attestation that the gift is being provided freely without any benefit from the County. The attestation shall be signed by both the source providing the gift and the department head of the receiving department for a directed gift or, in the case of a non-directed gift, the County Chief Procurement Officer. Once completed and signed, the form shall be returned to the Office of Central Procurement and filed with the Clerk of the County Legislature.

[C.]D. Insurance proceeds received for the loss, theft, damage or destruction of real or personal property, when proposed to be used or applied to repair or replace such property, and any third-party recoveries, including but not limited to insurance subrogation and workmen's compensation claims, liens or actions pursuant to the General Municipal Law, the Workers' Compensation Law or other applicable laws, may be accepted and appropriated by order of the County Executive. A report of such proceeds, showing the source, amount and type of claim involved, shall be filed with the Clerk of the Legislature every quarter.

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Section 3. Applicability.

This law shall apply to all gifts or donations received by Suffolk County on or after the effective date of this law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm,

partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(26), (27) and (33) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW in that the action constitutes routine or continuing administration and management not including new programs or major reordering of priorities that may affect the environment The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law shall take effect immediately upon its filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED: March 2, 2021

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: April 5, 2021

After a public hearing duly held on March 15, 2021
Filed with the Secretary of State on April 21, 2021