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THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 91

April 30, 1986

ANNUAL FINANCIAL REPORTING OF INCOME, ASSETS AND LIABILITIES
OF CITY OFFICIALS

BY THE POWER VESTED IN ME AS MAYOR OF THE CITY OF NEW YORK, it is hereby ordered:

Section 1. Annual Financial Reporting of Net Worth and Income Required. The Mayor, deputy mayors, agency heads, deputy agency heads, city employees in mayoral agencies who serve in the exempt or noncompetitive classes of civil service or who are provisional appointees and whose duties directly involve the negotiation, authorization or approval of contracts, leases, franchises, revocable consents, concessions and applications for zoning changes, variances and special permits, and any other city employees in mayoral agencies who serve in the exempt or noncompetitive classes of civil service or who are provisional appointees, who are requested by the Department of Investigation to comply with the provisions of this Order, shall annually file with the Department of Investigation a report on such form as shall be provided, setting forth assets and liabilities held during that year and the income received during the same period, by the employee and his or her spouse. This annual report shall be filed for each calendar year and shall be submitted to the Department of Investigation no later than March 15 of the following year. For calendar year 1985, reports shall be filed no later than July 1, 1986. Persons leaving city service shall file a report for the previous year, if they have not already done so, and for that portion of the calendar year in which they served in office, within 60 days of separation of service or by March 15 of the following year, whichever is earlier.

Section 2. Financial Information to be Contained in Report. (a) Such annual financial report shall contain the following information:

1. The name, address and type of practice of any business, professional organization or other entity in which the person reporting, or his or her spouse, is an officer, director, partner, proprietor or employee, or serves in any advisory capacity, from which income of one thousand dollars or more was derived during the preceding calendar year.

2. The source of each of the following items received during the preceding calendar year by the person reporting or his or her spouse:

(a) any income for services rendered, including city salary, other than any source of income otherwise disclosed pursuant to subdivision one of this section, of one thousand dollars or more;

(b) any capital gain from a single source of one thousand dollars or more, including the sale or redemption of stocks, bonds or other securities, the sale or exchange of real property and the sale or exchange of other property;

(c) reimbursement for expenditures of one thousand dollars or more in each instance;

(d) honoraria from a single source in the aggregate amount of five hundred dollars or more;

(e) any gift in the aggregate amount or value of five hundred dollars or more from any single source received during the preceding year, except as otherwise provided under the election law covering campaign contributions.

3. Each creditor to whom the person reporting or his or her spouse was indebted, for a period for ninety consecutive days or more during the preceding calendar year, in an amount of five thousand dollars or more. Debts to be listed include real estate mortgages, and other secured and unsecured loans and include debts of which the person reporting or his or her spouse was co-signer or guarantor.

4. The identity of each investment, including bank accounts and certificates of deposit, and each parcel of real property in which a value of ten thousand dollars or more was held by the person reporting, or his or her spouse, at any time during the preceding calendar year, based on the estimated value as of December 31 of the reporting year.

5. The identity of each trust or other fiduciary relation in which the person reporting or his or her spouse held a beneficial interest having a value of ten thousand dollars or more during the preceding calendar year.

6. The identity of each note receivable or other outstanding loan in the amount of five thousand dollars or more held by the person reporting or his or her spouse during the preceding calendar year, including notes secured by a mortgage, and other secured and unsecured notes.

7. (a) State the amount of income received from each and every source listed pursuant to the provisions of subdivisions one and two of this section.

(b) State the amount, as precisely as possible, of each and every debt, each and every investment and real property interest and each and every beneficial interest listed pursuant to the provisions of subdivisions three, four, five and six. The amount of each investment and real property interest shall be its estimated value as of December 31 of the reporting year.

8. Include such other information regarding income, assets and liabilities as the Department of Investigation shall require.

Section 3. Annual Financial Disclosure Requirements Continued. Filing pursuant to this Order shall be in addition to compliance with New York City Administrative Code Section 1106-5.0, by those employees required to file a financial disclosure report pursuant to that section.

Section 4. Determination of Persons Required to File. The Department of Investigation shall, after consultation with each agency head, determine which persons occupy positions that fall within the scope of this Order whose duties directly involve the negotiation, authorization or approval of contracts, leases, franchises, revocable consents, concessions and applications for zoning changes, variances and special permits, and shall determine which other city employees in mayoral agencies shall comply with the provisions of this Order and shall inform such employees of their obligation to report no later than December 31 of each reporting year. For reporting year 1985, such determination shall be made and covered employees informed by June 1, 1986. The determination by the Department of Investigation that a particular employee is covered by the provisions of this Order shall not be subject to review.

Section 5. Noncompliance. Failure to file, late filing or intentional misstatements on the part of a covered employee shall constitute grounds for imposition of disciplinary penalties, including removal from office. The Inspector General of each agency shall be responsible for assuring that each covered employee timely files the report required by this Order and the report required by New York City Administrative Code Section 1106-5.0.

Section 6. Public Disclosure. The reports filed pursuant to this Order with the Department of Investigation shall not be subject to public disclosure.

Section 7. Effective Date. This Order shall take effect immediately.



Edward I. Koch
M A Y O R