

STATE OF NEW YORK

3430--A

Cal. No. 395

2021-2022 Regular Sessions

IN SENATE

January 29, 2021

Introduced by Sens. COMRIE, GIANARIS -- read twice and ordered printed, and when printed to be committed to the Committee on Ethics and Internal Governance -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public officers law, in relation to the accessibility of public hearings and meetings

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 74-a of the public officers law, as added by chapter 368 of the laws of 1977, is amended to read as follows:

§ 74-a. Duty of public officers regarding [~~the physically handicapped~~] accessibility. 1. It shall be the duty of each public officer responsible for the scheduling or siting of any public hearing to make [reason-able] proactive efforts to ensure (a) that such hearings are held in facilities that permit barrier-free physical access to the physically handicapped, as defined in subdivision five of section fifty of the public buildings law; and (b) that services of a qualified interpreter are provided at such public hearings at no charge to persons who are deaf or hard of hearing upon written request to the public officer responsible for the scheduling or siting of the public hearing within a reasonable time prior to such hearing. If interpreter services are requested, the public officer responsible for the scheduling or siting of the public hearing shall engage the services of a qualified interpreter, if available, to interpret the proceeding to, and the testimony of such persons who are deaf or hard of hearing.

2. (a) Such public officers shall have the power and it shall be their individual duty to equip any rooms used for public hearings which accommodate more than one hundred persons with an assistive listening system for use by the deaf or hard of hearing;

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [~~-~~] is old law to be omitted.

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1 (b) For purposes of this subdivision, the term "assistive listening
2 system" shall mean situational-personal acoustic communication equipment
3 designed to improve the transmission and auditory reception of sound.
4 Such system shall include but not be limited to the use of standard
5 amplitude modulation (AM), frequency modulation (FM), audio induction
6 loop, infrared light sound, hard wire systems including those that
7 provide closed captions, open captions known as CART, American sign
8 language, Black American sign language, deafblind interpretation includ-
9 ing but not limited to using protactile as well as braille and large
10 print services.

11 § 2. Subdivision (d) of section 103 of the public officers law, as
12 added by chapter 40 of the laws of 2010, is relettered subdivision (g)
13 and two new subdivisions (h) and (i) are added to read as follows:

14 (h) Public bodies shall make or cause to be made all proactive efforts
15 to ensure that services of a qualified interpreter, if available, are
16 provided at meetings at no charge to persons who are deaf or hard of
17 hearing upon written request to the public body within a reasonable time
18 prior to such meeting. If interpreter services are requested, the public
19 body shall engage the services of a qualified interpreter, if available,
20 to interpret the proceedings of the meeting;

21 (i) (1) Public bodies shall have the power and it shall be their
22 collective duty to equip meeting rooms which accommodate more than one
23 hundred persons with an assistive listening system for use by the deaf
24 or hard of hearing;

25 (2) For purposes of this section, the term "assistive listening
26 system" shall mean situational-personal acoustic communication equipment
27 designed to improve the transmission and auditory reception of sound.
28 Such system shall include but not be limited to the use of standard
29 amplitude modulation (AM), frequency modulation (FM), audio induction
30 loop, infrared light sound hard wire systems including those that
31 provide closed captions, open captions known as CART, American sign
32 language, Black American sign language, deafblind interpretation includ-
33 ing but not limited to using protactile as well as braille and large
34 print services.

35 § 3. This act shall take effect immediately.