

STATE OF NEW YORK

4863

2021-2022 Regular Sessions

IN SENATE

February 16, 2021

Introduced by Sen. KAPLAN -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the public officers law, in relation to prohibiting agencies from charging a fee for records where an electronic copy is already available from a previous request

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

- 1 Section 1. Subparagraph iii of paragraph (b) of subdivision 1 of
2 section 87 of the public officers law, as amended by chapter 223 of the
3 laws of 2008, is amended to read as follows:
4 iii. the fees for copies of records which shall not exceed twenty-five
5 cents per photocopy not in excess of nine inches by fourteen inches, or
6 the actual cost of reproducing any other record in accordance with the
7 provisions of paragraph (c) of this subdivision, except when a different
8 fee is otherwise prescribed by statute. In the case where a record has
9 been prepared for a previous request and an electronic copy is avail-
10 able, an agency shall not charge a fee.
11 § 2. This act shall take effect immediately.

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

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