

STATE OF NEW YORK

584

2023-2024 Regular Sessions

IN SENATE

January 5, 2023

Introduced by Sens. HOYLMAN, KRUEGER, MYRIE, RIVERA -- 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 providing a videoconferencing exemption from the open meetings law for certain community boards and certain other public bodies

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

1 Section 1. Subdivision (c) of section 103 of the public officers law,
2 as added by section 1 of part WW of chapter 56 of the laws of 2022, is
3 amended to read as follows:

4 (c) A public body shall provide an opportunity for the public to
5 attend, listen and observe meetings in at least one physical location at
6 which a member participates, provided this subdivision shall not apply
7 to community boards established pursuant to section twenty-eight hundred
8 of the New York city charter, the board of education of the city school
9 district of the city of New York and the community councils established
10 pursuant to section twenty-five hundred ninety-b of the education law or
11 any other public body of which the majority of the public body's member-
12 ship are uncompensated, except for necessary expenses.

13 § 1-a. Subdivision (c) of section 103 of the public officers law, as
14 added by chapter 289 of the laws of 2000, is amended to read as follows:

15 (c) A public body that uses videoconferencing to conduct its meetings
16 shall provide an opportunity for the public to attend, listen and
17 observe at any site at which a member participates, provided this subdi-
18 vision shall not apply to community boards established pursuant to
19 section twenty-eight hundred of the New York city charter, the board of
20 education of the city school district of the city of New York and the
21 community councils established pursuant to section twenty-five hundred
22 ninety-b of the education law or any other public body of which the

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

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1 majority of the public body's membership are uncompensated, except for
2 necessary expenses.

3 § 2. Subdivision 4 of section 104 of the public officers law, as added
4 by chapter 289 of the laws of 2000, is amended to read as follows:

5 4. If videoconferencing is used to conduct a meeting, the public
6 notice for the meeting shall inform the public that videoconferencing
7 will be used, identify the locations for the meeting, and state that the
8 public has the right to attend the meeting at any of the locations,
9 provided this subdivision shall not apply to community boards estab-
10 lished pursuant to section twenty-eight hundred of the New York city
11 charter, the board of education of the city school district of the city
12 of New York and the community councils established pursuant to section
13 twenty-five hundred ninety-b of the education law or any other public
14 body of which the majority of the public body's membership are uncompen-
15 sated, except for necessary expenses, except that the public notice for
16 the meeting shall inform the public that videoconferencing will be used
17 and identify the internet address at which members of the public can
18 view the meeting, and, when required, participate in such meeting or
19 otherwise provide comment.

20 § 3. This act shall take effect immediately; provided, however, that
21 the amendments to subdivision (c) of section 103 of the public officers
22 law made by section one of this act shall be subject to the expiration
23 and reversion of such subdivision pursuant to section 4 of part WW of
24 chapter 56 of the laws of 2022, as amended, when upon such date the
25 provisions of section one-a of this act shall take effect.