

STATE OF NEW YORK

954

2023-2024 Regular Sessions

IN SENATE

January 9, 2023

Introduced by Sen. COONEY -- 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 conducting meetings of public bodies via video conference technology

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 amended by section 1 of part WW of chapter 56 of the laws of 2022, is
3 amended to read as follows:

4 (c) (i) 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.

7 (ii) Notwithstanding paragraph (i) of this subdivision, a public body
8 of a municipal corporation, as defined by section sixty-six of the
9 general construction law, may conduct a meeting via video conference if
10 such public body: (1) provides an opportunity for the public to contem-
11 poraneously view and listen to such meeting online; (2) makes a video
12 recording of such meeting; and (3) posts such video recording on such
13 public body's website within five business days of such meeting. In
14 addition, upon request of a member of the public, such public body shall
15 make available a specific location within the jurisdiction of such
16 municipal corporation for the public to view and listen to such meeting
17 online, provided such request is received at least forty-eight hours
18 prior to the time such meeting is scheduled to begin.

19 § 2. Subdivision (c) of section 103 of the public officers law, as
20 added by chapter 289 of the laws of 2000, is amended to read as follows:

21 (c) (i) A public body that uses videoconferencing to conduct its meet-
22 ings shall provide an opportunity for the public to attend, listen and
23 observe [~~at any site at which a member participates~~].

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

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1 (ii) Notwithstanding paragraph (i) of this subdivision, a public body
2 of a municipal corporation, as defined by section sixty-six of the
3 general construction law, may conduct a meeting via video conference if
4 such public body: (1) provides an opportunity for the public to contem-
5 poraneously view and listen to such meeting online; (2) makes a video
6 recording of such meeting; and (3) posts such video recording on such
7 public body's website within five business days of such meeting. In
8 addition, upon request of a member of the public, such public body shall
9 make available a specific location within the jurisdiction of such
10 municipal corporation for the public to view and listen to such meeting
11 online, provided such request is received at least forty-eight hours
12 prior to the time such meeting is scheduled to begin.

13 § 3. This act shall take effect immediately; provided however, that
14 the amendments to subdivision (c) of section 103 of the public officers
15 law made by section one of this act shall be subject to the expiration
16 and reversion of such subdivision pursuant to section 4 of part WW of
17 chapter 56 of the laws of 2022, as amended, when upon such date the
18 provisions of section two of this act shall take effect.