

7399

2009-2010 Regular Sessions

I N A S S E M B L Y

April 6, 2009

Introduced by M. of A. BRENNAN, MILLMAN, LUPARDO, STIRPE, BARRON, KOON, FIELDS -- Multi-Sponsored by -- M. of A. BOYLAND, GABRYSZAK, MAGEE, McENENY, NOLAN, TOWNS, WEISENBERG -- read once and referred to the Committee on Governmental Operations

AN ACT in relation to authorizing and directing the committee on open government to study proactive disclosure as a means of increasing transparency and access to government information

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Legislative findings. The legislature finds that the
2 current freedom of information law, enacted in 1977, has served as a
3 critical vehicle under which the public has gained access to records of
4 state and local governmental entities. The legislature further finds
5 that the freedom of information law places the burden on the individual
6 to request information from an agency, but that the use of current
7 information technology, combined with a commitment to proactive disclo-
8 sure, has the potential to provide information to the public to an even
9 greater degree than does the current law.
- 10 S 2. The New York state committee on open government is hereby author-
11 ized and directed to: (a) study the feasibility of requiring agencies,
12 as defined in subdivision 3 of section 86 of the public officers law, to
13 proactively disclose documents that are available under article 6 of the
14 public officers law; (b) make specific findings and legislative recom-
15 mendations relating to mandatory proactive disclosure by agencies; (c)
16 estimate the costs or savings of proactive disclosure; and (d) report
17 its findings to the governor, the temporary president of the senate and
18 the speaker of the assembly no later than January 31, 2010.
- 19 S 3. 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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