

1490

2009-2010 Regular Sessions

I N   S E N A T E

February 2, 2009

---

Introduced by Sens. DeFRANCISCO, GOLDEN, GRIFFO, SEWARD -- 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 open meetings of  
public bodies

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

1     Section 1. Legislative findings. It is the policy of this state that  
2 all public business "be performed in an open and public manner and that  
3 the citizens of this state be fully aware and able to observe the  
4 performance of public officials and attend and listen to the deliber-  
5 ations and decisions that go into the making of public policy". (Public  
6 Officers Law, S 100) However, because most citizens are unable to attend  
7 first-hand the meetings of public bodies, they rely upon the printed  
8 press and broadcast media to act as their agent in seeking out and  
9 communicating these events. Advances in technology now allow meetings  
10 to be photographed, broadcast and recorded in a non-disruptive manner,  
11 and these advances should be utilized to give effect to the policy of  
12 open and public governmental proceedings.

13     S 2. Section 103 of the public officers law is amended by adding a new  
14 subdivision (d) to read as follows:

15     (D) 1. ANY MEETING OF A PUBLIC BODY THAT IS OPEN TO THE PUBLIC SHALL  
16 BE OPEN TO BEING PHOTOGRAPHED, BROADCAST OR RECORDED BY AUDIO OR VIDEO  
17 MEANS. AS USED HEREIN THE TERM "BROADCAST" SHALL ALSO INCLUDE THE TRANS-  
18 MISSION OF SIGNALS BY CABLE.

19     2. A PUBLIC BODY MAY ADOPT RULES REASONABLY GOVERNING THE LOCATION OF  
20 EQUIPMENT AND PERSONNEL USED TO PHOTOGRAPH, BROADCAST OR RECORD A MEET-  
21 ING SO AS TO CONDUCT ITS PROCEEDINGS IN AN ORDERLY MANNER.

22     S 3. This act shall take effect on the sixtieth day after it shall  
23 have become a law.

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

LBD03448-01-9