

10093

I N A S S E M B L Y

March 3, 2010

Introduced by M. of A. DESTITO -- read once and referred to the Committee on Governmental 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 ASSEMBLY, 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 to
10 be photographed, broadcast and recorded in a non-disruptive manner, and
11 these advances should be utilized to give effect to the policy of open
12 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, WEBCAST, OR OTHERWISE RECORDED
17 AND/OR TRANSMITTED BY AUDIO OR VIDEO MEANS. AS USED HEREIN THE TERM
18 "BROADCAST" SHALL ALSO INCLUDE THE TRANSMISSION OF SIGNALS BY CABLE.

19 2. A PUBLIC BODY MAY ADOPT RULES, CONSISTENT WITH RECOMMENDATIONS FROM
20 THE COMMITTEE ON OPEN GOVERNMENT, REASONABLY GOVERNING THE LOCATION OF
21 EQUIPMENT AND PERSONNEL USED TO PHOTOGRAPH, BROADCAST, WEBCAST, OR
22 OTHERWISE RECORD A MEETING SO AS TO CONDUCT ITS PROCEEDINGS IN AN ORDER-
23 LY MANNER. SUCH RULES SHALL BE CONSPICUOUSLY POSTED DURING MEETINGS AND
24 WRITTEN COPIES SHALL BE PROVIDED UPON REQUEST TO THOSE IN ATTENDANCE.

25 S 3. This act shall take effect April 1, 2011.

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

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