S T A T E O F N E W Y O R K

7471--A

2009-2010 Regular Sessions

I N A S S E M B L Y

April 9, 2009

Introduced by M. of A. ROSENTHAL, KELLNER, LANCMAN, PAULIN, FIELDS, SPANO, JAFFEE, DenDEKKER, MILLMAN, HOOPER, CASTRO, GABRYSZAK, MAISEL, EDDINGTON -- Multi-Sponsored by -- M. of A. DINOWITZ, JOHN, KOON, MAGEE, MAYERSOHN, McENENY, MENG, PEOPLES, WEISENBERG -- read once and referred to the Committee on Governmental Operations -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public officers law, in relation to prohibiting certain agencies from charging for the process of a FOIL request made by state and local agencies or the state legislature

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

Section 1. Section 87 of the public officers law is amended by adding a new subdivision 6 to read as follows:

6. NOTWITHSTANDING PARAGRAPHS (B) AND (C) OF SUBDIVISION ONE OF THIS SECTION, AGENCIES CONSTITUTING PART OF THE STATE GOVERNMENT OR THE GOVERNMENT OF A CITY OF ONE MILLION PEOPLE OR MORE SHALL NOT CHARGE OTHER STATE AND LOCAL AGENCIES, OR THE STATE LEGISLATURE, FEES FOR THE PROCESSING OF A REQUEST MADE IN FURTHERANCE OF THE PERFORMANCE OF THE OFFICIAL DUTIES OF THAT AGENCY OR THE STATE LEGISLATURE PURSUANT TO THIS ARTICLE. HOWEVER, NOTHING IN THIS SUBDIVISION SHALL AUTHORIZE OR REQUIRE ANY CHARGES OR FEES FOR THE PROCESSING OF SUCH A REQUEST NOT AUTHORIZED OR REQUIRED PRIOR TO THE EFFECTIVE DATE OF THIS SUBDIVISION.

S 2. This act shall take effect immediately.

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

LBD10729-07-9