

3803

2009-2010 Regular Sessions

I N S E N A T E

April 1, 2009

Introduced by Sens. FLANAGAN, HANNON -- 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 providing guid-
ance to agencies on the development and maintenance of subject matter
lists

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

1 Section 1. Paragraph (b) of subdivision 1 of section 89 of the public
2 officers law, as amended by chapter 182 of the laws of 2006, is amended
3 to read as follows:
4 (b) The committee shall:
5 i. furnish to any agency advisory guidelines, opinions or other appro-
6 priate information regarding this article;
7 ii. furnish to any person advisory opinions or other appropriate
8 information regarding this article;
9 iii. promulgate rules and regulations with respect to the implementa-
10 tion of subdivision one and paragraph (c) of subdivision three of
11 section eighty-seven of this article;
12 iv. request from any agency such assistance, services and information
13 as will enable the committee to effectively carry out its powers and
14 duties;
15 v. develop a form, which shall be made available on the internet, that
16 may be used by the public to request a record; [and]
17 vi. PROVIDE GUIDANCE TO AGENCIES ON THE DEVELOPMENT AND MAINTENANCE OF
18 REASONABLY DETAILED CURRENT LISTS BY SUBJECT MATTER OF ALL RECORDS IN
19 THE POSSESSION OF SUCH AGENCIES, WHICH MAY INCLUDE THE DISSEMINATION OF
20 MODEL LISTS IN PRINT OR ELECTRONIC FORMAT AND THE RECOGNITION OF BEST
21 PRACTICES BY AGENCIES AND, IN CONSULTATION WITH THE STATE ARCHIVES AND
22 RECORDS ADMINISTRATION, DEVELOP AND PROVIDE GUIDANCE ON THE USE OF

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

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1 RECORDS RETENTION SCHEDULES AND AGENCY RECORDS MANAGEMENT ACTIVITIES TO
2 FACILITATE THE DEVELOPMENT AND MAINTENANCE OF SUCH LISTS; AND

3 VII. report on its activities and findings regarding this article and
4 article seven of this chapter, including recommendations for changes in
5 the law, to the governor and the legislature annually, on or before
6 December fifteenth.

7 S 2. This act shall take effect on the one hundred twentieth day after
8 it shall have become a law; provided, however, that the committee on
9 open government shall be immediately authorized and directed to promul-
10 gate any rules and regulations and take any other actions necessary for
11 implementation of this act on such effective date.