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

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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 guidance to agencies on the development and maintenance of subject matter lists

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

Section 1. Paragraph (b) of subdivision 1 of section 89 of the public officers law, as amended by chapter 182 of the laws of 2006, is amended to read as follows:

(b) The committee shall:

i. furnish to any agency advisory guidelines, opinions or other appropriate information regarding this article;

ii. furnish to any person advisory opinions or other appropriate information regarding this article;

iii. promulgate rules and regulations with respect to the implementation of subdivision one and paragraph (c) of subdivision three of section eighty-seven of this article;

iv. request from any agency such assistance, services and information as will enable the committee to effectively carry out its powers and duties;

v. develop a form, which shall be made available on the internet, that may be used by the public to request a record; [and]

vi. PROVIDE GUIDANCE TO AGENCIES ON THE DEVELOPMENT AND MAINTENANCE OF REASONABLY DETAILED CURRENT LISTS BY SUBJECT MATTER OF ALL RECORDS IN THE POSSESSION OF SUCH AGENCIES, WHICH MAY INCLUDE THE DISSEMINATION OF MODEL LISTS IN PRINT OR ELECTRONIC FORMAT AND THE RECOGNITION OF BEST PRACTICES BY AGENCIES AND, IN CONSULTATION WITH THE STATE ARCHIVES AND 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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RECORDS RETENTION SCHEDULES AND AGENCY RECORDS MANAGEMENT ACTIVITIES TO FACILITATE THE DEVELOPMENT AND MAINTENANCE OF SUCH LISTS; AND

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

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