

1727

2011-2012 Regular Sessions

I N A S S E M B L Y

January 11, 2011

Introduced by M. of A. ROSENTHAL, KELLNER, LANCMAN, PAULIN, SPANO, JAFFEE, DenDEKKER, MILLMAN, HOOPER, CASTRO, GABRYSZAK, MAISEL -- Multi-Sponsored by -- M. of A. DINOWITZ, MAGEE, MAYERSOHN, McENENY, MENG, PEOPLES-STOKES, WEISENBERG -- read once and referred to the Committee on Governmental Operations

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:

1 Section 1. Section 87 of the public officers law is amended by adding
2 a new subdivision 6 to read as follows:
3 6. NOTWITHSTANDING PARAGRAPHS (B) AND (C) OF SUBDIVISION ONE OF THIS
4 SECTION, AGENCIES CONSTITUTING PART OF THE STATE GOVERNMENT OR THE
5 GOVERNMENT OF A CITY OF ONE MILLION PEOPLE OR MORE SHALL NOT CHARGE
6 OTHER STATE AND LOCAL AGENCIES, OR THE STATE LEGISLATURE, FEES FOR THE
7 PROCESSING OF A REQUEST MADE IN FURTHERANCE OF THE PERFORMANCE OF THE
8 OFFICIAL DUTIES OF THAT AGENCY OR THE STATE LEGISLATURE PURSUANT TO THIS
9 ARTICLE. HOWEVER, NOTHING IN THIS SUBDIVISION SHALL AUTHORIZE OR REQUIRE
10 ANY CHARGES OR FEES FOR THE PROCESSING OF SUCH A REQUEST NOT AUTHORIZED
11 OR REQUIRED PRIOR TO THE EFFECTIVE DATE OF THIS SUBDIVISION.
12 S 2. This act shall take effect immediately.

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

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