

726

2013-2014 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 9, 2013

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Introduced by M. of A. ROSENTHAL, KELLNER, PAULIN, JAFFEE, DenDEKKER, MILLMAN, HOOPER, CASTRO, GABRYSZAK, MAISEL -- Multi-Sponsored by -- M. of A. DINOWITZ, MAGEE, 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.

LBD02343-01-3