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I N   S E N A T E

May 9, 2014

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Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the not-for-profit corporation law, in relation to making certain not-for-profit corporations subject to the freedom of information and open meetings laws

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

1     Section 1. The not-for-profit corporation law is amended by adding a  
2     new section 116 to read as follows:  
3     S 116. ACCESS TO RECORDS.  
4     (A) ANY NOT-FOR-PROFIT CORPORATION AS DEFINED IN SUBPARAGRAPH FIVE OF  
5     PARAGRAPH (A) OF SECTION ONE HUNDRED TWO OF THIS ARTICLE, WITH  
6     TWENTY-FIVE OR MORE FULL TIME EQUIVALENT EMPLOYEES, WHICH RECEIVES  
7     EITHER ONE MILLION DOLLARS OR MORE IN GOVERNMENT FUNDING, OR  
8     SEVENTY-FIVE PERCENT OR MORE OF ITS GROSS REVENUES THROUGH GOVERNMENT  
9     FUNDING, AND WHICH IS LICENSED BY THE OFFICE OF PEOPLE WITH DEVELOP-  
10    MENTAL DISABILITIES, OFFICE OF MENTAL HEALTH, OR DEPARTMENT OF HEALTH AS  
11    AN APPROVED PROVIDER OF SERVICES, SHALL BE SUBJECT TO THE PROVISIONS OF  
12    ARTICLES SIX AND SEVEN OF THE PUBLIC OFFICERS LAW; PROVIDED, HOWEVER,  
13    THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO PATIENT RECORDS  
14    AS DEFINED IN THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF  
15    1996.  
16    (B) ANY RECORDS IDENTIFIED BY THE NEW YORK STATE POLICE AS SECURE  
17    DOCUMENTS REQUIRING THE NON-DISCLOSURE FOR SECURITY PURPOSES SHALL NOT  
18    BE SUBJECT TO THE PROVISIONS OF PARAGRAPH (A) OF THIS SECTION.  
19    S 2. This act shall take effect on the thirtieth day after it shall  
20    have become a law.

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

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