

4788--B

Cal. No. 113

2015-2016 Regular Sessions

I N A S S E M B L Y

February 6, 2015

Introduced by M. of A. QUART, SEAWRIGHT, ABINANTI, FRIEND, MOSLEY, BLAKE
-- Multi-Sponsored by -- M. of A. BRENNAN, LAWRENCE, OTIS, ROBINSON,
SCHIMEL -- read once and referred to the Committee on Corporations,
Authorities and Commissions -- reported and referred to the Committee
on Codes -- passed by Assembly and delivered to the Senate, recalled
from the Senate, vote reconsidered, bill amended, ordered reprinted,
retaining its place on the order of third reading -- repassed by
Assembly and delivered to the Senate, recalled from the Senate, vote
reconsidered, bill amended, ordered reprinted, retaining its place on
the order of third reading

AN ACT to amend the public authorities law, in relation to requiring
open meetings and the internet broadcast of open meetings of each
state authority

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

- 1 Section 1. The public authorities law is amended by adding two new
2 sections 2824-b and 2824-c to read as follows:
3 S 2824-B. OPEN MEETINGS. EACH STATE AUTHORITY SHALL BE SUBJECT TO THE
4 PROVISIONS OF ARTICLE SEVEN OF THE PUBLIC OFFICERS LAW.
5 S 2824-C. INTERNET BROADCAST OF OPEN MEETINGS. 1. EACH STATE AUTHORITY
6 SHALL BROADCAST OVER THE INTERNET, LIVE VIDEO AND AUDIO OF EACH OPEN
7 MEETING HELD BY THE AUTHORITY. THE TIME AND PLACE OF EACH SUCH MEETING
8 SHALL BE CONSPICUOUSLY POSTED ON THE STATE AUTHORITY'S INTERNET WEBSITE
9 AT LEAST ONE WEEK PRIOR TO SUCH MEETING.
10 2. ALL MEETINGS BROADCAST IN ACCORDANCE WITH SUBDIVISION ONE OF THIS
11 SECTION SHALL BE RECORDED, ARCHIVED, AND MADE ACCESSIBLE TO THE PUBLIC
12 ON ITS WEBSITE FOR AT LEAST ONE YEAR AFTER THE DATE OF THE MEETING.
13 3. THE PROVISIONS OF THIS SECTION SHALL APPLY TO ALL MEETINGS OF THE
14 BOARD BUT SHALL NOT APPLY TO EXECUTIVE SESSIONS HELD IN ACCORDANCE WITH
15 ARTICLE SEVEN OF THE PUBLIC OFFICERS LAW.

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

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1 4. EACH STATE AUTHORITY WHICH: (A) HAS REVENUE OF LESS THAN ONE
2 MILLION DOLLARS; (B) HAS OUTSTANDING BONDS OR DEBT OF LESS THAN ONE
3 MILLION DOLLARS; AND (C) IS ALLOCATED LESS THAN ONE MILLION DOLLARS IN
4 STATE, COUNTY OR MUNICIPAL ANNUAL APPROPRIATIONS, MAY WAIVE, FOR A PERI-
5 OD OF ONE YEAR, THE REQUIREMENTS SET FORTH IN SUBDIVISIONS ONE AND TWO
6 OF THIS SECTION, IF VOTED UPON AND APPROVED BY THE BOARD OF THE STATE
7 AUTHORITY.

8 5. EACH STATE AUTHORITY THAT APPROVES A WAIVER PURSUANT TO SUBDIVISION
9 FOUR OF THIS SECTION SHALL BE REQUIRED TO SATISFY THE REQUIREMENTS OF
10 SUBDIVISIONS ONE AND TWO OF THIS SECTION IF THEY SURPASS ANY OF THE
11 RESPECTIVE ONE MILLION DOLLAR THRESHOLDS SET FORTH IN SUBDIVISION FOUR
12 OF THIS SECTION, IN ANY FISCAL YEAR.

13 6. ANY AGGRIEVED PERSON SHALL HAVE STANDING TO ENFORCE THE PROVISIONS
14 OF THIS SECTION AGAINST A STATE AUTHORITY BY THE COMMENCEMENT OF A
15 PROCEEDING PURSUANT TO ARTICLE SEVENTY-EIGHT OF THE CIVIL PRACTICE LAW
16 AND RULES, OR AN ACTION FOR DECLARATORY JUDGEMENT AND INJUNCTIVE RELIEF.
17 IN ANY SUCH ACTION OR PROCEEDING, IF A COURT DETERMINES THAT A STATE
18 AUTHORITY FAILED TO COMPLY WITH THIS SECTION, THE COURT SHALL HAVE THE
19 POWER, IN ITS DISCRETION, UPON GOOD CAUSE SHOWN, TO DECLARE THAT THE
20 STATE AUTHORITY VIOLATED THIS SECTION AND/OR DECLARE THE ACTION TAKEN IN
21 RELATION TO SUCH VIOLATION VOID, IN WHOLE OR IN PART, WITHOUT PREJUDICE
22 TO THE RECONSIDERATION IN COMPLIANCE WITH THIS SECTION.

23 S 2. This act shall take effect on the one hundred eightieth day after
24 it shall have become a law.