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

5769

2015-2016 Regular Sessions

I N A S S E M B L Y

March 4, 2015

Introduced by M. of A. PEOPLES-STOKES, ZEBROWSKI, ENGLEBRIGHT, GALEF -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the public officers law, in relation to statistical information on requests for records from state agencies

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

Section 1. Section 89 of the public officers law is amended by adding a new subdivision 10 to read as follows:

10. ON OR BEFORE THE FIRST DAY OF MARCH OF EACH YEAR, EACH STATE AGENCY SHALL SUBMIT THE FOLLOWING INFORMATION COVERING THE PRECEDING CALENDAR YEAR TO THE COMMITTEE ON OPEN GOVERNMENT:

(A) THE NUMBER OF REQUESTS FOR RECORDS RECEIVED BY THE AGENCY;

(B) THE NUMBER OF SUCH REQUESTS THAT WERE (I) GRANTED, (II) DENIED, (III) GRANTED IN PART AND DENIED IN PART, OR (IV) CONSTRUCTIVELY DENIED BY VIRTUE OF A FAILURE TO RESPOND TO A REQUEST WITHIN THE STATUTORY TIME;

(C) THE NUMBER OF APPEALS OF SUCH DENIALS THAT RESULTED IN (I) GRANTING ACCESS TO THE RECORDS SOUGHT, OR (II) A FINAL DENIAL OF ACCESS, OR (III) CONSTRUCTIVE DENIAL BY VIRTUE OF A FAILURE TO RESPOND TO AN APPEAL WITHIN THE STATUTORY TIME;

(D) THE NUMBER OF REQUESTS FOR RECORDS THAT WERE GRANTED IN WHOLE OR PART WITHIN TWENTY BUSINESS DAYS FROM THE DATE OF THE ACKNOWLEDGMENT OF RECEIPT OF THE REQUEST;

(E) THE AVERAGE NUMBER AND MEDIAN NUMBER OF DAYS FOR THE AGENCY TO RESPOND TO REQUESTS FOR RECORDS BY (I) GRANTING THE REQUEST IN WHOLE OR PART, OR (II) DENYING THE REQUEST;

(F) THE TOTAL, AVERAGE AND LARGEST SINGLE AMOUNT OF FEES COLLECTED FOR PROVIDING RECORDS; AND

(G) ANY OTHER INFORMATION REQUIRED BY THE COMMITTEE.

THE COMMITTEE AND EACH STATE AGENCY SHALL MAKE SUCH INFORMATION AVAILABLE TO THE PUBLIC INCLUDING BY POSTING THE MOST RECENT INFORMATION ON

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

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ITS WEBSITES. FOR THE PURPOSES OF THIS SUBDIVISION, "STATE AGENCY" SHALL HAVE THE SAME MEANING AS IN SUBDIVISION FIVE OF THIS SECTION.

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.