

5990

2015-2016 Regular Sessions

I N S E N A T E

June 17, 2015

Introduced by Sen. ESPAILLAT -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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 ASSEMBLY, 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.

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

23 5. EACH STATE AUTHORITY THAT APPROVES A WAIVER PURSUANT TO SUBDIVISION
24 FOUR OF THIS SECTION SHALL BE REQUIRED TO SATISFY THE REQUIREMENTS OF

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

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1 SUBDIVISIONS ONE AND TWO OF THIS SECTION IF THEY SURPASS ANY OF THE
2 RESPECTIVE ONE MILLION DOLLAR THRESHOLDS SET FORTH IN SUBDIVISION FOUR
3 OF THIS SECTION, IN ANY FISCAL YEAR.

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

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