

# STATE OF NEW YORK

11324

## IN ASSEMBLY

September 19, 2018

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Rozic) --  
read once and referred to the Committee on Governmental Operations

AN ACT in relation to authorizing and directing the committee on open government to study proactive disclosure as a means of increasing transparency and access to government information

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. Legislative findings. The legislature finds that the  
2 current freedom of information law, enacted in 1977, has served as a  
3 critical vehicle under which the public has gained access to records of  
4 state and local governmental entities. The legislature further finds  
5 that the freedom of information law places the burden on the individual  
6 to request information from an agency, but that the use of current  
7 information technology, combined with a commitment to proactive disclo-  
8 sure, has the potential to provide information to the public to an even  
9 greater degree than does the current law.
- 10 § 2. The New York state committee on open government is hereby author-  
11 ized and directed to: (a) study the feasibility of requiring agencies,  
12 as defined in subdivision 3 of section 86 of the public officers law, to  
13 proactively disclose documents that are available under article 6 of the  
14 public officers law; (b) make specific findings and legislative recom-  
15 mendations relating to mandatory proactive disclosure by agencies; (c)  
16 estimate the costs or savings of proactive disclosure; and (d) report  
17 its findings to the governor, the temporary president of the senate and  
18 the speaker of the assembly no later than January 31, 2020.
- 19 § 3. This act shall take effect immediately.

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

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