STATE OF NEW YORK

382

2019-2020 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 9, 2019

Introduced by M. of A. LIFTON, STIRPE, O'DONNELL, GALEF -- read once and referred to the Committee on Governmental Operations

AN ACT to direct the department of state to conduct a study on the use of legal material in an electronic format and access to such legal materials

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

Section 1. 1. (a) The department of state, in consultation with any entity that the secretary of state deems appropriate, shall conduct a study on the use of legal material in an electronic format that guarantees the authenticity of and access to such legal materials of the state of New York. For the purposes of this act, "legal material" shall mean, whether or not in effect: the constitution of the state of New York; the laws of the state of New York; any state agency rule, regulation or decision that has or had the effect of law; material published in the New York register; and the New York code of rules and regulations.

(b) The study shall include, but not be limited to:

i. standards regarding the use, authentication, preservation, security, and public access of legal material, and the fiscal implications thereof;

ii. the needs of users of legal material in an electronic format;

iii. views of stakeholders pertaining to the authentication, use, preservation, and security of legal materials in an electronic format;

iv. methods and technologies used for the authentication, use, preservation and security of legal material, technology used by the state and other states to disseminate legal material; and

v. current practices of the state of New York with regard to session laws, the code of statutes, the register, administrative code, and court opinions in both electronic and non-electronic format.

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

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2. On or before November 1, 2020, the department of state shall submit such study to the governor, the temporary president of the senate and the speaker of the assembly and shall publicly post such study on the department of state's website.

3. The department of state may request, and is authorized to receive, any information from any state agency that is relevant and material to the completion of such study. Such information received by the department of state shall be subject to the same requirements for confidentiality and limitations on use, if any, as are applicable to such state agency's use of such information.

§ 2. This act shall take effect immediately.