STATE OF NEW YORK

8989

IN ASSEMBLY

January 8, 2020

Introduced by M. of A. LIFTON -- read once and referred to the Committee on Governmental Operations

AN ACT to amend a chapter of the laws of 2019 directing the department of state to conduct a study on the use of legal material in an electronic format and access to such legal materials, as proposed in legislative bills numbers S.6030 and A.382, in relation to the implementation of such study

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

Section 1. Section 1 of a chapter of the laws of 2019 directing the department of state to conduct a study on the use of legal material in an electronic format and access to such legal materials, as proposed in legislative bills numbers S.6030 and A.382, is amended to read as follows:

Section 1. 1. (a) The [~~department of state~~] **office of information technology services**, in consultation with any entity that the [~~secretary of state~~] **director of the office of information technology services** 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;

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

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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.

2. On or before November 1, 2020, the [~~department of state~~] **office of information technology services** 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~~] **office of information technology services'** website.

3. The [~~department of state~~] **office of information technology services** 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~~] **office of information technology services** 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 on the same date and in the same manner as a chapter of the laws of 2019 directing the department of state to conduct a study on the use of legal material in an electronic format and access to such legal materials, as proposed in legislative bills numbers S.6030 and A.382, takes effect.