STATE OF NEW YORK

7269

2019-2020 Regular Sessions

IN ASSEMBLY

April 18, 2019

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to SUNY trustee's participation and voting at board meetings by means of electronic communication

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

Section 1. The education law is amended by adding a new section 226-a to read as follows:

§ 226-a. Trustee's participation and voting by means of electronic communications. 1. A board of trustees may: (a) Implement reasonable measures to provide trustees not physically present at a board meeting a reasonable opportunity to participate in the proceedings of the meeting substantially concurrently with such proceedings; and

(b) Provide reasonable measures to enable trustees to vote or grant proxies with respect to matters submitted to the trustees at a board meeting by means of electronic communication; provided that the board shall, if applicable (i) implement reasonable measures to verify that each person deemed present and permitted to vote at the meeting by means of electronic communication is a trustee of record and (ii) keep a record of any vote or other action taken by a trustee participating and voting by means of electronic communications at a board meeting. A trustee participating in a board meeting by this means is deemed to be present in person at such meeting.

2. Nothing in subdivision one of this section shall limit, restrict or supersede other forms of voting and participation in such trustee board meetings.

3. For purposes of this section, "reasonable measures" with respect to participating in proceedings shall include, but shall not be limited to, audio webcast or other broadcast of the meeting and for voting shall include, but shall not be limited to, telephonic and internet voting.

§ 2. 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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