STATE OF NEW YORK

4677

2021-2022 Regular Sessions

IN ASSEMBLY

February 4, 2021

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

AN ACT to amend the public officers law, in relation to prohibiting agencies from charging a fee for records where an electronic copy is already available from a previous request

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

Section 1. Subparagraph iii of paragraph (b) of subdivision 1 of section 87 of the public officers law, as amended by chapter 223 of the laws of 2008, is amended to read as follows:

iii. the fees for copies of records which shall not exceed twenty-five cents per photocopy not in excess of nine inches by fourteen inches, or the actual cost of reproducing any other record in accordance with the provisions of paragraph (c) of this subdivision, except when a different fee is otherwise prescribed by statute. **In the case where a record has been prepared for a previous request and an electronic copy is available, an agency shall not charge a fee.**

§ 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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