

# STATE OF NEW YORK

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843--A

2021-2022 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 6, 2021

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Introduced by M. of A. PAULIN, MAGNARELLI, LUPARDO, GALEF -- Multi-Sponsored by -- M. of A. COOK, GLICK, GUNTHER, PERRY, THIELE -- read once and referred to the Committee on Governmental Operations -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to information on state boards

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

1 Section 1. The executive law is amended by adding a new section 203-b  
2 to read as follows:

3 § 203-b. Additional duties of the commissioner regarding information  
4 on state boards. 1. As used in this section, "commissioner" means the  
5 commissioner of the office of general services and, "board" means any  
6 board, commission, committee, council, task force or any similar state  
7 public organization, required to be established pursuant to the state  
8 constitution, state statutes or executive order, for the exercise of any  
9 function of state government and to which members are appointed or  
10 elected. "Board" does not include:

11 a. any informal advisory organization established exclusively by a  
12 state agency to advise the commissioner, secretary, or director of that  
13 agency on an informal basis;

14 b. any joint standing committee of the legislature or any committee of  
15 the assembly and/or senate composed entirely of members of the legisla-  
16 ture;

17 c. any court;

18 d. the board of trustees of any institution of higher education finan-  
19 cially supported in whole or in part by the state;

20 e. any entity of local government;

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

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1 f. any public authority or public benefit corporation, a majority of  
2 whose members are appointed by the governor or serve as members by  
3 virtue of holding state offices to which they were appointed by the  
4 governor, or any combination thereof; and

5 g. any board of elections.

6 2. The commissioner shall maintain a compilation of the membership and  
7 meeting information of all state boards, including state boards deemed  
8 active and regularly meeting on and after the effective date of this  
9 section. The commissioner shall keep such inventory in a public record  
10 available for inspection, and updated annually on a website designated  
11 by the commissioner for the purpose of public access. Such compilation  
12 shall include, but not be limited to:

13 a. statutory language, executive order or other legal basis or author-  
14 ization for the establishment of such board;

15 b. public information including departmental affiliation, contact  
16 address, phone number, and website;

17 c. a brief description of the purpose of the board and its legally  
18 required duties, including required reports or other products;

19 d. the size of board membership, current member names, and any quali-  
20 fications;

21 e. whether members of a board are eligible for payment of expenses or  
22 other compensation in the performance of their duties as members of that  
23 board;

24 f. dates and locations of all meetings held, and to be held within six  
25 months, or a location, including but not limited to another website, in  
26 which such information can be publicly accessed;

27 g. geographic and other relevant qualifications of all current members  
28 of the board, including the county in which the member resides and the  
29 background or expertise the member possesses where such background or  
30 expertise is required for membership on such board; and

31 h. any other information the commissioner may require. Nothing in  
32 this section shall authorize the release or publication of any board  
33 member's residential address.

34 2-a. The commissioner shall also, to the extent practicable, maintain  
35 and update annually a compilation of all available information of all  
36 state boards currently authorized by provisions of the state constitu-  
37 tion, state statutes or executive orders that the commissioner deems  
38 inactive. For purposes of this section, a board shall be deemed inactive  
39 if it has not held a meeting in the year prior to the effective date of  
40 this section. A board shall hereafter be treated as inactive for the  
41 purposes of this section if it has not met in the preceding calendar  
42 year.

43 3. The commissioner shall update on an annual basis beginning April  
44 first, two thousand twenty-three on the designated website, all vacan-  
45 cies, expired terms, those terms expiring within one year, and the proc-  
46 ess for filling such vacancies on such boards.

47 4. Each board or the state agency that provides administrative support  
48 or is otherwise affiliated with a board shall annually on or before  
49 January first, submit to the commissioner all information pursuant to  
50 this section in a manner specified by the commissioner to facilitate the  
51 publication requirements of this section. Each submission shall also  
52 include information on compensation and expenses incurred in the prior  
53 and current fiscal years, as well as projected costs for the coming  
54 fiscal year.

55 5. The commissioner shall receive from any department, division,  
56 board, bureau, commission or other agency of the state any information

1 and resources as will enable him or her to properly carry out the  
2 purposes of this section.

3 6. On or before January first, two thousand twenty-four, the commis-  
4 sioner shall report to the governor, the speaker of the assembly, the  
5 temporary president of the senate, the chair of the assembly oversight,  
6 analysis and investigation committee and the chair of the senate inves-  
7 tigations and government operations committee on the status of the  
8 inventory including but not limited to the number of boards reported and  
9 verified; the aggregate demographic information of appointments made by  
10 each appointing authority including but not limited to race, sex, and  
11 geographic representation of such appointees provided that no informa-  
12 tion shall be personally identifiable, and the content and completeness  
13 of the information gathered in accordance with the requirements of this  
14 section. The commissioner shall also report on any impediments to  
15 obtaining information.

16 § 2. This act shall take effect April 1, 2023.