STATE OF NEW YORK

843--A

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

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:

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

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

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

b. any joint standing committee of the legislature or any committee of the assembly and/or senate composed entirely of members of the legislature;

c. any court;

d. the board of trustees of any institution of higher education financially supported in whole or in part by the state;

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

g. any board of elections.

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

a. statutory language, executive order or other legal basis or authorization for the establishment of such board;

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

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

d. the size of board membership, current member names, and any qualifications;

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

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

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

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

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

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

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

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

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

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

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