STATE OF NEW YORK

3120

2021-2022 Regular Sessions

IN SENATE

January 27, 2021

Introduced by Sen. KAVANAGH -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT authorizing and directing the committee on open government to study proactive disclosure as a means of increasing transparency and access to government information

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

Section 1. Legislative findings. The legislature finds that the current freedom of information law, enacted in 1977, has served as a critical vehicle under which the public has gained access to records of state and local governmental entities. The legislature further finds that the freedom of information law places the burden on the individual to request information from an agency, but that the use of current information technology, combined with a commitment to proactive disclosure, has the potential to provide information to the public to an even greater degree than does the current law.

§ 2. The New York state committee on open government is hereby authorized and directed to: (a) study the feasibility of requiring agencies, as defined in subdivision 3 of section 86 of the public officers law, to proactively disclose documents that are available under article 6 of the public officers law; (b) make specific findings and legislative recommendations relating to mandatory proactive disclosure by agencies; (c) estimate the costs or savings of proactive disclosure; and (d) report its findings to the governor, the temporary president of the senate and the speaker of the assembly no later than January 31, 2024.

§ 3. This act shall take effect immediately.

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

LBD03353-01-1