STATE OF NEW YORK

5594

2021-2022 Regular Sessions

IN SENATE

March 11, 2021

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the not-for-profit corporation law, in relation to making certain not-for-profit corporations subject to the freedom of information and open meetings laws

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

Section 1. The not-for-profit corporation law is amended by adding a new section 116 to read as follows:

§ 116. Access to records.

(a) Any not-for-profit corporation as defined in subparagraph five of paragraph (a) of section one hundred two of this article, with twenty-five or more full time equivalent employees, which receives either one million dollars or more in government funding, or seventy-five percent or more of its gross revenues through government funding, and which is licensed by the office of people with developmental disabilities, office of mental health, or department of health as an approved provider of services, shall be subject to the provisions of articles six and seven of the public officers law; provided, however, that the provisions of this section shall not apply to patient records as defined in the Health Insurance Portability and Accountability Act of 1996.

(b) Any records identified by the New York state police as secure documents requiring the non-disclosure for security purposes shall not be subject to the provisions of paragraph (a) of this section.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law.

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

LBD10107-01-1