

STATE OF NEW YORK

8145

IN SENATE

January 26, 2022

Introduced by Sen. SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Procurement and Contracts

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;

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

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

LBD02098-06-2

1 section. The commissioner shall keep such inventory in a public record
2 available for inspection, and updated annually on a website designated
3 by the commissioner for the purpose of public access. Such compilation
4 shall include, but not be limited to:

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

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

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

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

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

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

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

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

26 2-a. The commissioner shall also, to the extent practicable, maintain
27 and update annually a compilation of all available information of all
28 state boards currently authorized by provisions of the state constitu-
29 tion, state statutes or executive orders that the commissioner deems
30 inactive. For purposes of this section, a board shall be deemed inactive
31 if it has not held a meeting in the year prior to the effective date of
32 this section. A board shall hereafter be treated as inactive for the
33 purposes of this section if it has not met in the preceding calendar
34 year.

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

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

47 5. The commissioner shall receive from any department, division,
48 board, bureau, commission or other agency of the state any information
49 and resources as will enable him or her to properly carry out the
50 purposes of this section.

51 6. On or before January first, two thousand twenty-four, the commis-
52 sioner shall report to the governor, the speaker of the assembly, the
53 temporary president of the senate, the chair of the assembly oversight,
54 analysis and investigation committee and the chair of the senate inves-
55 tigations and government operations committee on the status of the
56 inventory including but not limited to the number of boards reported and

1 verified; the aggregate demographic information of appointments made by
2 each appointing authority including but not limited to race, sex, and
3 geographic representation of such appointees provided that no informa-
4 tion shall be personally identifiable, and the content and completeness
5 of the information gathered in accordance with the requirements of this
6 section. The commissioner shall also report on any impediments to
7 obtaining information.

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