

# STATE OF NEW YORK

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4453

2023-2024 Regular Sessions

## IN ASSEMBLY

February 14, 2023

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Introduced by M. of A. RAGA -- read once and referred to the Committee  
on Governmental Operations

AN ACT to amend the public officers law, in relation to the ability of  
government agencies in New York to claim copyright protection

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

1 Section 1. Section 89 of the public officers law is amended by adding  
2 a new subdivision 11 to read as follows:

3 11. Any copyright in a record prepared by an agency that is required  
4 to be disclosed pursuant to the provisions of this article is waived,  
5 except where the record reflects or includes artistic, creative or scho-  
6 larly works of authorship, academic course materials, or scientific or  
7 academic research, or if the copyright owner intends to distribute the  
8 record or a derivative work based on it to the public by sale or other  
9 transfer of ownership, or by rental, lease, or license. If any of the  
10 foregoing exceptions apply, the copyright owner may in its discretion  
11 elect to waive any such copyright.

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

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

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