STATE OF NEW YORK

67

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

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

AN ACT to amend the public officers law, in relation to permitting records required to be disclosed under the freedom of information law to have exempt parts of such documents be redacted before disclosure

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

Section 1. The opening paragraph of subdivision 2 of section 87 of the public officers law, as amended by chapter 808 of the laws of 2021, is amended to read as follows:

Each agency shall, in accordance with its published rules, make available for public inspection and copying all records, except those records or portions thereof that may be withheld pursuant to the exceptions of rights of access appearing in this subdivision. **Except for any record that is exempt from disclosure by state or federal statute pursuant to paragraph (a) of this subdivision, when a record contains portions that may be denied pursuant to this article, as well as portions that must be disclosed, an agency may redact or withhold the portions subject to one or more of the permissible grounds for denial, but shall disclose the remaining portions.** A denial of access shall not be based solely on the category or type of such record and shall be valid only when there is a particularized and specific justification for such denial. Each agency shall, in accordance with its published rules, make available for public inspection and copying all records, except that such agency may deny access to records or portions thereof that:

§ 2. This act shall take effect immediately.

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

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