

STATE OF NEW YORK

8103

2025-2026 Regular Sessions

IN SENATE

May 15, 2025

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

AN ACT to amend the financial services law, in relation to enacting the "department of financial services open data act"

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

1 Section 1. This act shall be known and may be cited as the "department
2 of financial services open data act".

3 § 2. Legislative findings. The legislature finds that the release of
4 data, in a format that is easily accessible, understandable and usable
5 by the public, can increase civic engagement with government. In addi-
6 tion, in a department providing a public service and operating an enter-
7 prise as vital as that of the Department of Financial Services, trans-
8 parency in data is in the public's best interest. It is the intent of
9 the legislature that the department and its subsidiaries release as much
10 data as is feasible in open formats, so that the public can access that
11 data, analyze it, and engage with the department with suggestions and
12 solutions to improve its operations.

13 § 3. The financial services law is amended by adding a new section 208
14 to read as follows:

15 § 208. Open data reporting. (a) The department shall fully comply with
16 the provisions of Executive Order 95 of 2013, "Using Technology to
17 Promote Transparency, Improve Government Performance and Enhance Citizen
18 Engagement", and shall provide the New York state office of information
19 technology services and the legislature all data as defined in
20 subsection (b) of this section.

21 (b) For the purposes of this section, the following terms shall have
22 the following meanings:

23 (1) "open data website" shall mean the website data.ny.gov or such
24 other successor website maintained by, or on behalf of, the state, as
25 deemed appropriate by the New York state office of information technolo-

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

LBD13141-01-5

1 gy services under Executive Order 95 of 2013, or any successor agency or
2 order;

3 (2) "data" shall mean final versions of statistical or factual infor-
4 mation that: (i) are in alphanumeric form reflected in a list, table,
5 graph, chart or other non-narrative form, that can be digitally trans-
6 mitted or processed; (ii) are regularly created or maintained by or on
7 behalf of the department and are controlled by the same department; and
8 (iii) record a measurement, transaction or determination related to the
9 mission of the department. The term "data" shall not include image
10 files, such as designs, drawings, photos or scanned copies of original
11 documents; provided, however, that the term "data" shall include statis-
12 tical or factual information about image files and geographic informa-
13 tion system data;

14 (3) "data set" shall mean a named collection of related records main-
15 tained on a storage device, with the collection containing data organ-
16 ized or formatted in a specific or prescribed way, often in tabular
17 form; and

18 (4) "publishable DFS data" shall mean data that is collected by the
19 department where the department is permitted, required or able to make
20 the data available to the public, consistent with any and all applicable
21 laws, rules, regulations, ordinances, resolutions, policies or other
22 restrictions, requirements or rights associated with the data, including
23 but not limited to contractual or other legal orders, restrictions or
24 requirements. Data shall not be publishable DFS data if making such data
25 available on the open data website would violate statute or regulation,
26 including, but not limited to, disclosures that would constitute an
27 unwarranted invasion of personal privacy, endanger the public health,
28 safety or welfare, hinder the operation of government, including crimi-
29 nal and civil investigations, or impose an undue financial, operational
30 or administrative burden on the the department or its subsidiaries or
31 affiliates.

32 (c) As required by Executive Order 95 of 2013, the department shall
33 designate a data coordinator, who shall:

34 (1) have authority equivalent to that of a deputy commissioner or the
35 head of a division or bureau of the department;

36 (2) have knowledge of data and resources in use by the department; and

37 (3) be responsible for the compliance of the department, its subsid-
38 iaries and affiliates with the order.

39 (d) The department and its subsidiaries and affiliates shall make
40 their publishable DFS data available on its website and the open data
41 website as follows:

42 (1) the department shall create a catalogue of publishable DFS data
43 within one hundred eighty days of the effective date of this section;

44 (2) the department shall within one hundred eighty days of the effec-
45 tive date of this section, submit to the legislature and publish on its
46 shared internet website a schedule for making its publishable DFS data
47 publicly available. Such schedule shall provide for updating the data
48 catalogue as appropriate; and

49 (3) the department shall create schedules for publishing all publisha-
50 ble DFS data within three years of the effective date of this section.

51 (e) The department shall not be prevented from publishing data in
52 advance of the dates set in their schedules.

53 § 4. This act shall take effect immediately.