

COMMITTEE ON OPEN GOVERNMENT

STATE OF NEW YORK
DEPARTMENT OF STATE

ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
TELEPHONE: (518) 474-2518
FAX: (518) 474-1927
WWW.OPENGOVERNMENT.NY.GOV

COMMITTEE MEMBERS

RUTH N. COLON
ANTONIO DELGADO
PETER D. GRIMM
HADLEY HORRIGAN
JEANETTE M. MOY
CHRISTOPHER POLICANO
ROBERT J. RODRIGUEZ
FRANKLIN H. STONE
BLAKE G. WASHINGTON
STEPHEN B. WATERS

EXECUTIVE DIRECTOR

SHOSHANAH BEWLAY

MEMORANDUM

TO: Whom it May Concern

FROM: Shoshanah Bewlay
Executive Director, Committee on Open Government

RE: *Alert: Legislation Extended: Chapter 58 of the Laws of 2024*

DATE: April 25, 2024 (updated May 15, 2024)

On April 20, 2024, Governor Kathy Hochul signed into Law Chapter 58 of the Laws of 2024. Part KK of Chapter 58 provides for a two-year extension – without other modification – until July 1, 2026, of the amendment to the Open Meetings Law (OML) established by Chapter 56 of the Laws of 2022 expanding the use of videoconferencing by public bodies to conduct open meetings, under extraordinary circumstances, regardless of a declaration of emergency. See previously issued guidance on this topic, which remains applicable, [here](#).

In addition, Chapter 58 also amended Public Authorities Law to add a new § 2829 to clarify and reinforce the fact that state and local authorities are subject to both the Freedom of Information Law and the OML:

All state and local authorities, as such terms are defined in section two of this chapter, as well as all subsidiaries of such state and local authorities, as such terms are defined in section two of this chapter, shall be subject to the provisions of articles six and seven of the public officers law relating to the freedom of information and open meetings laws respectively.

The amendment further provides that all such authorities and their subsidiaries

shall, to the extent practicable, stream all open meetings and public hearings on their website in real-time, post video recordings of all open meetings and public hearings on their website within five business days of the meeting or hearing and maintain such recordings for a period of not less than five years.

This amendment relating to public authorities goes into effect on May 20, 2024.