



NEW YORK STATE SENATOR

David J. Valesky

New York Senate Passes Legislation Sponsored by Senator David J. Valesky Expanding Individuals' Access to Own Records

DAVID J. VALESKY May 21, 2009

| ISSUE: **CONSUMER PROTECTION, ETHICS**

SYRACUSE, N.Y.-- The New York State Senate passed legislation on April 21, sponsored by State Senator David J. Valesky (D-Oneida), which would allow individuals to request information about their own records covered by the Personal Privacy Protection Law via electronic mail. Currently, a written request must be submitted.

The Personal Privacy Protection Law protects individuals' privacy by regulating the manner in which state agencies collect, maintain and disseminate personal information. Individuals have the right to access and amend their own personal information.

"People have the right to know what is in their own records, and they should be able to obtain that information easily." Senator Valesky, Vice President Pro-Tempore of the New York State Senate, said. "E-mail communication has become mainstream, and it is appropriate that e-mail requests be treated the same as written requests for the purpose of obtaining an individual's own information from state agencies."

The bill (S3020), passed unanimously, also requires agencies to respond to requests via e-mail wherever possible.

The purpose of the bill is to increase transparency and accountability of state agencies, and to empower individual citizens to control and monitor how their government operates.

Last year, the Freedom of Information Law (FOIL) was similarly amended to require agencies to transmit requested records via e-mail when they have the ability to do so.

The same bill (A6382), sponsored by Assembly Member RoAnn Destito, passed the Assembly in March. It would take effect immediately if signed into law by Governor David Paterson.