



NEW YORK STATE SENATOR

Susan Serino

Serino Pushes Legislation to Increase Transparency

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SERINO PUSHES LEGISLATION TO INCREASE TRANSPARENCY

ALBANY—Senator Sue Serino (R, C, I—Hyde Park) announced today that a bill to expedite the processes for determining appeals to Freedom Of Information Law (FOIL) requests passed in the Senate. The bill co-sponsored by Senator Serino, [S. 1531](#), aims to increase transparency and provide the public access to government records and important information.

“FOIL puts an important tool in the hands of the public that allows them to hold government agencies accountable and ensure promised transparency,” said Senator Serino when speaking to the bill’s importance. “The public has a right to this information and ensuring that the process moves in a timely and efficient manner plays a critical role in open government.”

Currently, when a request for records is denied then subsequently overturned by a court, the agency from where the records are being requested may file notice of appeal. The law currently grants them up to nine months to follow through with the appeal.

Such an extensive period can delay disclosure beyond a reasonable amount of time and often makes the individual’s FOIL request moot. This is especially true during campaign and election cycles, contract bidding processes and other events relegated to small windows of time throughout the year.

This bill aims to increase transparency and ensure access to records by creating an expedited process which would require an appeal to be filed within 30 days after a court judgment on a FOIL lawsuit, and abandons the request to appeal when an agency fails to serve and file a brief within two months after the date of the notice of appeal.

The bill was brought to Senator Serino's attention by the [Poughkeepsie Journal's Editorial Board](#) who noted the issue in May of this year. After hearing from constituents and members of the public who experienced the same frustrating delay in the processing of FOIL requests, Senator Serino concluded that swift action was necessary.

"To give an agency such an extreme amount of time for an appeal flies in the face of good government," Senator Serino said. "The point of FOIL is to give the public access to records and documents they require to hold government accountable and passing this bill today is a step in the right direction."

The bill has passed in the Assembly and will now be sent to the Governor to be signed into law.

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