



NEW YORK STATE SENATOR

James Skoufis

## Skoufis Reforms Government Oversight and Transparency During Freshman Senator Term

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**\*\*PRESS RELEASE\*\***

Skoufis Reforms Government Oversight and Transparency During Freshman Senator Term

Senator James Skoufis (D-Hudson Valley), during his freshman term as a state Senator, introduced and advanced an unprecedented number of good government bills through both

legislative chambers which will be sent to the Governor before the end of the year. Beyond opening investigations into housing and code enforcement, pharmacy benefit managers, and industrial development authorities (IDAs), Skoufis introduced legislation to even the playing field for all New Yorkers. From closing shady loopholes to giving the public more access to government records, Skoufis made it his top priority this legislative session to bring accountability where it is due.

“Since assuming my position as a state Senator, and during my tenure as an Assemblyman, I have been a laser-focused advocate for more transparency and open government,” **said Senator James Skoufis.** “State government needs to start working better for the people it's supposed to serve. As a legislator, as well as the Chairman of the Investigations and Government Operations Committee, I'm proud to have fought to inject accountability and transparency where neither has traditionally existed, and this is just the beginning.”

Senator Skoufis introduced bills [S1630B](#), [S4685A](#) and [S5496](#) to ensure that the Freedom of Information Act is complied to its fullest extent and that citizens have easy access to all of the documents afforded to them legally. He also introduced and passed [S2736](#), which added protections for whistleblowers, so that they are entitled to more protections and rights.

Albany has long been rightfully ridiculed for its use of “task forces” and “commissions” in place of laws directly enacted by the legislature. Skoufis introduced and passed two bills to hold these entities more accountable; [S2959A](#) includes them in the definition of public bodies for the open meetings law, and [S2975](#) instructs the state to compile a publicly available, full list of all of these entities and their members.

Senator Skoufis believes citizens needs easy and transparent access to their government and was proud to pass these bills to do that.

Below, please find a breakdown of all of Skoufis' government transparency bills introduced this session:

**S1630B:** Relates to publishing records of public interest by agencies and the legislature

- This bill relates to the Electronic Freedom of Information Act of 1996 which requires agencies to publish records that are frequently requested. Senator Skoufis' bill requires each agency and house of the state legislature to publish records proactively on its website that are of substantial interest to the public. This bill gives the public easy access at a low cost and speeds up the process of them getting information. This bill passed the state Senate.

**S4685A:** Relates to preference given to an appeal to the appellate division of the supreme court regarding a denial of an exception from disclosure

- Under current Freedom of Information Law, a person or entity may initiate a judicial proceeding to prevent the government from disclosing records to the public if such disclosures would cause injury to the competitive position of a commercial enterprise. The government is then required to expend time and money to defend its position that the record should be disclosed, a cost which is passed along to taxpayers. Skoufis' bill requires that a proceeding to stop disclosure of a record be given preference by the courts and heard in an expedited manner. This bill passed both the Senate and Assembly and will be delivered to the Governor's desk before the end of the year.

**S5496:** Relates to access to certain records

- There is a strong presumption under FOIL that government records are accessible to the public, however, there are a number of defined exceptions of access to records. Under current law, access to records or to portions of records is sometimes withheld when they should not be. Skoufis' bill clarifies certain provisions of FOIL and other disclosure laws to make sure that people are not wrongfully denied access to public records. This bill passed both the Senate and Assembly and will be delivered to the Governor's desk before the end of the year.

**S2736:** Relates to eliminating a disincentive for whistleblowers

- Under current law, whistleblowers are disempowered from asserting multiple claims because the law requires whistleblowers to give up any other causes of action in order to bring a whistleblower claim. Skoufis' bill eliminates this self-contradictory provision, allowing whistleblowers to expose problems and also bring forth claims. This bill passed both the Senate and Assembly and will be delivered to the Governor's desk before the end of the year.

**S2959A:** Relates to amending the definition of "public body"

- Decision-making entities appointed by executive order, such as commissions or task forces, are currently not subject to the Open Meetings Law, which establishes rules for bodies that must conduct their gatherings in public. Under Skoufis' bill, by amending the definition of "public body," these entities will be added to the list of bodies subject to Open Meetings Law, increasing transparency and giving the public access to these meetings rather than decisions being made behind closed doors. This bill passed the state Senate.

**S2975:** Requires the secretary of state to compile, make public and keep current certain information about state boards

- No complete public inventory of state commissions, boards, councils, task forces, or similar bodies exists in New York. As a result, it is difficult, if not impossible, for New Yorkers to have an understanding of existing boards, their composition, purpose or legal responsibilities. Skoufis' bill creates a centralized compilation of information about state boards that will be available to the public. This bill passed both the Senate and Assembly and will be delivered to the Governor's desk before the end of the year.

In his first Senate legislative session, Skoufis passed 59 bills in the Senate, with 35 passing both legislative houses; both are the most passed by any freshman Senator. Skoufis has also unveiled three investigations, resulting in a comprehensive report and legislation on drug company middlemen; two additional reports on housing and code enforcement as well as IDA compliance will soon be released. Skoufis plans to continue working on legislative changes to make New York a fair state for everyone, and will be making new investigative announcements in the weeks to come.

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