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Int. No. 1040

By Council Members Avilés, Hudson, Williams, Cabán, Banks, Feliz and Gutiérrez

A Local Law to amend the New York city charter, in relation to creating expedited processing of FOIL requests to professional journalists

Be it enacted by the Council as follows:

Section 1. Chapter 47 of the New York city charter is amended by adding a new section 1058.1 to read as follows:

§ 1058.1 Expedited processing of freedom of information law requests. a. Definitions. For purposes of this section, the following terms have the following meanings:

Agency. The term "agency" means any governmental entity of the city of New York subject to the requirements of article 6 of the public officers law.

Expedited processing. The term "expedited processing" means, where an agency determines to grant a request in whole or in part, doing so within 10 business days from the date of acknowledgement of the receipt of the request; and if circumstances prevent disclosure within 10 business days from the date of the acknowledgement of the receipt of the request, the agency stating, in writing, both the reason for the inability to grant the request within 10 business days and a date certain within a reasonable period, depending on the circumstances, when the request will be granted in whole or in part, but never disclosing records later than six months from the date of acknowledgment of the receipt of the request.

Professional journalist. The term "professional journalist" means a person who is engaged in the gathering, preparing, collecting, writing, editing, filming, taping, or photographing of news intended for a newspaper, magazine, television or radio station, website, or other professional medium, service or agency

which has as one of its regular functions the production or dissemination of news to the public.

Record. The term "record" means a record as defined in section 86 of the public officers law.

Request. The term "request" means a freedom of information law request for records made pursuant to article 6 of the public officers law and received by an agency.

b. Agencies shall provide for expedited processing of requests for records made by professional journalists.

§ 2. This local law takes effect 60 days after it becomes law.

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Session 12
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LS #8659
04/19/2022