



NEW YORK STATE SENATOR

John C. Liu

Queens legislators (Liu, Raga) call for stronger freedom of information laws

JOHN C. LIU March 12, 2024

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**QUEENS LEGISLATORS (LIU, RAGA) CALL FOR STRONGER
FREEDOM OF INFORMATION LAWS**

ALBANY, NY – In recognition of Sunshine Week, a national coalition of journalists, civic and good government groups working to highlight the importance of government transparency joined State Senators John Liu (D-Flushing) and Brad Hoylman-Sigal (D-Manhattan) and State Assembly Member Steven Raga (D-Woodside) today in Albany to call for the passage of their bills to strengthen New York’s Freedom of Information Laws (FOIL).

FOIL is commonly used by journalists and the members of the public to request records from New York State or local government agencies. All 50 states have freedom of information laws, although each state’s laws vary from one another. The legislators today joined advocates for a more transparent and open government in support of several measures to speed up FOIL requests and reduce procedural burdens on the attorneys who litigate them.

Raga’s bill, A8586, would put a stop to agencies endlessly delaying their responses to FOIL requests by requiring agencies to acknowledge FOIL requests and produce an approximate date, within a reasonable timeframe, for the request to be approved or denied.

State Assembly Member Steven Raga stated, “FOIL requests are a vital tool for New Yorkers to access public information, yet New Yorkers have been consistently forced to wait months, if not years, for responses and are effectively being denied their public right to this information. The FOIL Timeline Act will cap the amount of time agencies have to respond to requests. This will ensure that our government is transparent, open, and responsive. I am proud to stand with my colleagues and transparency advocates on this issue during Sunshine Week.”

Liu’s bill, S5801A, eliminates an onerous provision regulating attorney fees that requires a party to “substantially prevail” before attorney fees are awarded. This statute often drags out lawsuits and leads to only a small handful of FOIL requests being upheld in court.

State Senator John Liu stated, “As the fourth estate knows too well, FOIL responses are often difficult to obtain. Attorneys in New York know this too because of a statute requiring plaintiffs not to just prevail, but to ‘substantially prevail’ before fees are awarded. By reforming the attorney fee structure in FOIL lawsuits to allow for more reasonable compensation, we would streamline proceedings and make it easier for the public to obtain information to which they are entitled. This legislation would bring New York in line with numerous other states with stronger FOIL laws, and I thank the NY Coalition for Open Government for continuing to shine a light on this issue during Sunshine Week and throughout the year.”

Sunshine Week is a non-partisan, nationwide initiative uniting participants from journalism, civic groups, government, and the private sector to emphasize the critical role of public record access and transparent government in maintaining a healthy democracy. Celebrated annually in mid-March, this event coincides with the birthday of James Madison, a staunch advocate for transparency, and is marked alongside National Freedom of Information Day on March 16th.

Also attending today’s rally were, the New York Coalition for Open Government, Reinvent Albany, Surveillance Technology Oversight Project, New York Public Interest Research Group, League of Women Voters of NYS, Legal Aid Society and the New York Civil Liberties Union.

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