



New York Coalition



For Open Government, Inc.



MEMO OF SUPPORT

[S9607 \(May\) / A11143 \(Kassay\)](#)

Requires agencies to allow FOIL appeals be done electronically

May 5, 2026

TITLE OF BILL

An act to amend the public officers law [POL], in relation to certain reforms for agencies subject to the freedom of information law [FOIL].

STATEMENT OF SUPPORT

Our groups strongly support this bill because it is absurd that in 2026, agencies may still require FOIL appeals to be done via snail mail.

While New York State requires that all agencies allow FOIL requests to be filed electronically, a loophole in state law makes it so that agencies may require appeals to be done by mail, creating an onerous and wasteful roadblock to public access to records.

Most state agencies have transitioned to software that can enable appeals to be submitted electronically through a website. Indeed, the state's contract with the vendor, GovQA, actually requires this functionality, and state agencies only need to enable this feature. Agencies that are not using FOIL software could use email to satisfy this

common-sense requirement. Thus, requiring electronic appeals, either through email or a website, will place no additional burden on agencies.

We urge the Legislature to pass the bill.

SUMMARY OF PROVISIONS

Section 1 amends Public Officers Law [POL] §87(1)(b)(ii) to add FOIL officer and appeal officer contacts to the list of information that agencies must publish.

Section 2 amends POL §87(4) to require all government agencies to post contact information for FOIL records officers.

Section 3 amends POL §89(3)(b,c) and (4)(c) to require that all agencies allow appeals of FOIL denials to be filed electronically.

Section 4 states that the bill takes effect 30 days after becoming law.