



Testimony for Legislature’s Joint Public Hearing on Videoconferencing

*Re: Any resolution authorizing videoconferencing should be public;
Legislature should strengthen Open Meetings Law*

December 19, 2024

Good morning. I am Rachael Fauss, Senior Policy Advisor for Reinvent Albany. We advocate for more transparent and accountable New York government. Thank you for the opportunity to provide testimony as the Legislature considers continuing to authorize the use of videoconferencing by its members.

Reinvent Albany strongly supports having public bodies hold meetings that allow both in-person and remote participation by public officials and the general public. As we [testified to the Assembly in October 2021](#) and [recommended with 14 other civic groups in March 2022](#), we believe a hybrid system has huge advantages, both making it easier for the broader public to participate in open meetings remotely and maintaining the traditional accountability of in-person meetings.

As we did in 2023, we once again urge the Legislature to build on the 2022 changes to the Open Meetings Law which permitted hybrid (in-person/remote) meetings and included new requirements for public access.

Specifically, we urge the Assembly to pass [A10266 \(2023-24\)](#), sponsored by Assemblymember Tony Simone and [supported by more than 30 organizations](#). This bill is the result of extensive negotiations between stakeholders and interested legislators and will comprehensively modify the Open Meetings Law. We urge the Senate to pass a same-as bill sponsored by Senator Rachel May, which will be introduced in the 2025-26 session. Our organization has been leading public discussion on hybrid OML, and we are glad AM Simone’s legislation is inspired by [recommendations](#) we published in 2022.

We also ask the Legislature to pass a resolution to allow its members to participate in public meetings by videoconferencing, ensuring that members are able to participate in meetings should unforeseen situations arise, such as illnesses. We also believe that the transparency requirement of OML to designate votes that are taken remotely is essential to ensure that this authorization is used appropriately and not abused. However, we ask

that this resolution be made available for the public and legislators to review at least three days before it is voted on, as is required for legislation.

The 2022 changes to the Open Meetings Law included a number of positive changes that were strongly supported by Reinvent Albany, with other watchdog and disability groups, including:

- **Meetings must be webcast, including committee meetings.** The Assembly began to more routinely webcast select meetings in 2023, and we continue to urge full use of webcasting by the Assembly for all meetings.
- **Where public comment is allowed, members of the public must be able to testify remotely.** This will make public hearings much more accessible for the public, who have often been required to attend in person.
- **Video will be required to be posted within 5 days of meetings being held, and must remain online for five years.**

However, we ask you to exceed the minimum requirements for transparency and public access in the Open Meetings Law. Specifically, whether or not members participate remotely in public meetings, all meetings – including committee meetings – should be webcast, and the public should always be given the opportunity to testify remotely in public hearings, as you are doing today.

Unfortunately, the current requirements of the Open Meetings Law do not fully embrace hybrid meetings, and continue to require in-person participation by a quorum of members of public bodies. This is proving to be a difficult standard to meet for boards and commissions composed of volunteer members who may only be compensated on a per diem basis for attendance, if at all. The current provisions will also expire on July 1, 2026. We urge you to take this opportunity to not merely extend the law again, but to enact meaningful changes, such as those contained in Assemblymember Simone's bill.

New Yorkers learned a great deal during the COVID-19 pandemic, including that remote public meetings were a boon to people with disabilities, parents of young children, and the many other civic-minded people whose circumstances make it challenging to attend meetings in person. We believe it would be a huge step backwards for New York's state and local governments to stop offering remote public participation, which would be particularly harmful to the state's disabled community. Likewise, we understand the many advantages of in-person meetings and believe it would be a mistake to only have remote meetings. Fortunately, agencies like the MTA have shown that it is possible to do both and have successfully been holding hybrid meetings since 2020.

Thank you for your consideration. If you have any questions, please contact Rachael Fauss, Senior Policy Advisor, at rachael [at] reinventalbany.org.