

Intro. Res. No. 1564-2021

Laid on Table 7/27/2021

Introduced by Legislators Anker, Donnelly, Hahn, Cilmi, Flotteron, Kennedy, Richberg, Berland and Spencer

RESOLUTION NO. 951-2021, ADOPTING LOCAL LAW NO. 28-2021, A LOCAL LAW TO REQUIRE ADVISORY BODIES MEETING VIA VIDEOCONFERENCING TO UTILIZE CLOSED CAPTIONING AND THE POSTING OF MEETING TRANSCRIPTS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on July 27, 2021, a proposed local law entitled, "**A LOCAL LAW TO REQUIRE ADVISORY BODIES MEETING VIA VIDEOCONFERENCING TO UTILIZE CLOSED CAPTIONING AND THE POSTING OF MEETING TRANSCRIPTS**"; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. 28-2021, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO REQUIRE ADVISORY BODIES MEETING VIA VIDEOCONFERENCING TO UTILIZE CLOSED CAPTIONING AND THE POSTING OF MEETING TRANSCRIPTS

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Chapter 172 of the SUFFOLK COUNTY CODE requires advisory bodies of the County to conduct all meetings in accordance with Article 7 of New York State Public Officers Law, more commonly known as the Open Meetings Law.

This Legislature also finds and determines that Resolution No. 249-2021 amended Chapter 172 to include a requirement that advisory bodies utilize the videoconferencing platform provided by the County when meeting remotely.

This Legislature further finds and determines that many videoconferencing platforms provide the option to generate an automated transcript and include closed captioning at the bottom of the meeting screen as an aid for meeting participants.

This Legislature finds that the use of closed captioning and transcription will make open meetings more accessible to members of the public including those who are deaf and hearing impaired.

This Legislature determines that closed captioning the meetings of advisory boards would allow all members of the public to more fully participate in the work of these entities and improve the ability to interact with County government.

Therefore, the purpose of this law is to amend Chapter 172 of the SUFFOLK COUNTY CODE to require advisory bodies which are meeting through the use of videoconferencing to utilize closed captioning during such meetings.

Section 2. Amendments.

Chapter 172 of the SUFFOLK COUNTY CODE is hereby amended as follows:

CHAPTER 172. OPEN MEETINGS

ARTICLE I. ADVISORY BODIES

* * * *

§ 172-3. Conduct of meetings and executive sessions.

- A. Advisory bodies shall comply with the open meeting and public notice requirements set forth in Article 7 of New York Public Officers Law.
- B. Advisory bodies may conduct executive sessions for the purposes set forth in § 105 of the New York Public Officers Law.
- C. Advisory bodies which use videoconferencing to conduct business shall utilize the videoconferencing platform and account information provided by the County. Advisory bodies shall confer with the department or office which provides support to the body prior to conducting a meeting through the use of videoconferencing. The supporting department or office shall, when possible, provide the advisory body with the videoconferencing platform and account information necessary to conduct the meeting. If the supporting department does not have videoconferencing capabilities, it shall request that the County Legislature provide the videoconferencing platform and account information for use by the advisory body. Such meetings shall take place under the supervision of the entity providing the videoconferencing platform and account information to ensure compliance with Article 7 of New York Public Officers Law. During advisory body meetings conducted via videoconferencing on County platforms, it shall be the responsibility of the host of the meeting to ensure that the functions providing for closed captioning of the meeting and the generation of an automatic transcription shall be utilized at all times. The automatic transcription shall be maintained as part of the advisory body's meeting records and made available to the public in an accessible format on the appropriate County website.

Section 3. Applicability.

This law shall apply to all advisory body meetings occurring on or after the effective date of this law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or

unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(26), (27) and (33) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW in that the action constitutes routine or continuing administration and management not including new programs or major reordering of priorities that may affect the environment. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law shall take effect immediately upon its filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED: November 16, 2021

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: December 02, 2021

After a public hearing duly held on November 30, 2021
Filed with the Secretary of State on December 15, 2021