

1766

2009-2010 Regular Sessions

I N S E N A T E

February 6, 2009

Introduced by Sen. FARLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the civil rights law, in relation to the confidentiality of certain personnel records maintained by the department of taxation and finance

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 1 of section 50-a of the civil rights law, as
2 amended by chapter 137 of the laws of 2002, is amended to read as
3 follows:
4 1. All personnel records, used to evaluate performance toward contin-
5 ued employment or promotion, under the control of any police agency or
6 department of the state or any political subdivision thereof including
7 authorities or agencies maintaining police forces of individuals defined
8 as police officers in section 1.20 of the criminal procedure law [and],
9 such personnel records under the control of a sheriff's department or a
10 department of correction of individuals employed as correction officers
11 [and], such personnel records under the control of a paid fire depart-
12 ment or force of individuals employed as firefighters or
13 firefighter/paramedics [and], such personnel records under the control
14 of the division of parole for individuals defined as peace officers
15 pursuant to subdivisions twenty-three and twenty-three-a of section 2.10
16 of the criminal procedure law AND SUCH PERSONNEL RECORDS UNDER THE
17 CONTROL OF THE DEPARTMENT OF TAXATION AND FINANCE FOR INDIVIDUALS
18 DEFINED AS POLICE OFFICERS PURSUANT TO SECTION 1.20 OF THE CRIMINAL
19 PROCEDURE LAW OR AS PEACE OFFICERS PURSUANT TO SECTION 2.10 OF THE CRIM-
20 INAL PROCEDURE LAW shall be considered confidential and not subject to
21 inspection or review without the express written consent of such police
22 officer, firefighter, firefighter/paramedic, correction officer, PEACE
23 OFFICER OR POLICE OFFICER EMPLOYED BY THE DEPARTMENT OF TAXATION AND
24 FINANCE or peace officer within the division of parole except as may be
25 mandated by lawful court order.
26 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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