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I N   S E N A T E

March 5, 2012

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

AN ACT to amend the judiciary law, in relation to confidential communications with judicial assistance committees

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

- 1     Section 1. Section 499 of the judiciary law, as added by chapter 327  
2     of the laws of 1993, is amended to read as follows:  
3     S 499. Lawyer AND JUDICIAL assistance committees. 1. Confidential  
4     information privileged. The confidential relations and communications  
5     between a member or authorized agent of a lawyer assistance committee OR  
6     JUDICIAL ASSISTANCE COMMITTEE sponsored by a state or local bar associ-  
7     ation and any person, firm or corporation communicating with such  
8     committee, its members or authorized agents shall be deemed to be privi-  
9     leged on the same basis as those provided by law between attorney and  
10    client. Such privilege may be waived only by the person, firm or corpo-  
11    ration which has furnished information to the committee.  
12    2. Immunity from liability. Any person, firm or corporation in good  
13    faith providing information to, or in any other way participating in the  
14    affairs of, any of the committees referred to in subdivision one of this  
15    section shall be immune from civil liability that might otherwise result  
16    by reason of such conduct. For the purpose of any proceeding, the good  
17    faith of any such person, firm or corporation shall be presumed.  
18    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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