

5128

2011-2012 Regular Sessions

I N S E N A T E

May 3, 2011

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 section 53 of subpart B of part C of chapter 62 of the laws
3 of 2011, is amended to read as follows:
4 1. All personnel records used to evaluate performance toward continued
5 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 department of corrections and community supervision for individ-
15 uals defined as peace officers pursuant to subdivisions twenty-three and
16 twenty-three-a of section 2.10 of the criminal procedure law AND SUCH
17 PERSONNEL RECORDS UNDER THE CONTROL OF THE DEPARTMENT OF TAXATION AND
18 FINANCE FOR INDIVIDUALS DEFINED AS POLICE OFFICERS PURSUANT TO SECTION
19 1.20 OF THE CRIMINAL PROCEDURE LAW OR AS PEACE OFFICERS PURSUANT TO
20 SECTION 2.10 OF THE CRIMINAL PROCEDURE LAW shall be considered confiden-
21 tial and not subject to inspection or review without the express written
22 consent of such police officer, firefighter, firefighter/paramedic,
23 correction officer, PEACE OFFICER OR POLICE OFFICER EMPLOYED BY THE
24 DEPARTMENT OF TAXATION AND FINANCE or peace officer within the depart-
25 ment of corrections and community supervision except as may be mandated
26 by lawful court order.
27 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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