S T A T E O F N E W Y O R K

5950--A

Cal. No. 760

2013-2014 Regular Sessions

I N S E N A T E

October 11, 2013

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Codes in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the civil rights law, in relation to including probation officers with respect to the confidentiality of personnel records of police officers, firefighters and correction officers

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

Section 1. Subdivision 1 of section 50-a of the civil rights law, as amended by section 53 of subpart B of part C of chapter 62 of the laws of 2011, is amended to read as follows:

1. All personnel records used to evaluate performance toward continued employment or promotion, under the control of any police agency or department of the state or any political subdivision thereof including authorities or agencies maintaining police forces of individuals defined as police officers in section 1.20 of the criminal procedure law and such personnel records under the control of a sheriff's department or a department of correction of individuals employed as correction officers and such personnel records under the control of a paid fire department or force of individuals employed as firefighters or firefighter/paramedics and such personnel records under the control of the department of corrections and community supervision for individuals defined as peace officers pursuant to subdivisions twenty-three and twenty-three-a of section 2.10 of the criminal procedure law AND SUCH PERSONNEL RECORDS UNDER THE CONTROL OF A PROBATION DEPARTMENT FOR INDIVIDUALS DEFINED AS PEACE OFFICERS PURSUANT TO SUBDIVISION TWENTY-FOUR OF SECTION 2.10 OF THE CRIMINAL PROCEDURE LAW shall be considered confidential and not subject to inspection or review without the express written

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

LBD11765-04-4

consent of such police officer, firefighter, firefighter/paramedic, correction officer or peace officer within the department of corrections and community supervision OR PROBATION DEPARTMENT except as may be mandated by lawful court order.

S 2. This act shall take effect immediately.