

STATE OF NEW YORK

8869

2025-2026 Regular Sessions

IN ASSEMBLY

June 9, 2025

Introduced by M. of A. ROMERO -- read once and referred to the Committee on Ways and Means

AN ACT to amend the public officers law, in relation to the denial of access to public records that relate to civil investigations; to amend the executive law, in relation to requiring the superintendent of state police to provide the department of law with direct, real-time access to the criminal gun clearinghouse; to amend the executive law and the civil rights law, relating to the enforcement powers of the attorney general; to amend the education law, in relation to authorizing the attorney general to enforce the provisions of the education law against covered entities who engage in discrimination and the powers and duties of state university trustees; and to amend the public health law, in relation to the compromise of certain claims the state may have

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subparagraphs iii and iv of paragraph (e) of subdivision 2 of section 87 of the public officers law, as amended by chapter 155 of the laws of 2022, are amended to read as follows:

iii. identify a confidential source or disclose confidential information relating to a civil or criminal investigation; or

iv. reveal civil or criminal investigative techniques or procedures, except routine techniques and procedures;

§ 2. Subdivision 4 of section 230 of the executive law, as amended by chapter 207 of the laws of 2022, is amended to read as follows:

4. The superintendent [~~of the division of state police~~] shall establish and maintain within the division a criminal gun clearinghouse as a central repository of information regarding all guns seized, forfeited, found or otherwise coming into the possession of any state or local law enforcement agency which are believed to have been used in the commission of a crime. The superintendent [~~of the division of state police~~]

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

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1 shall adopt and promulgate regulations prescribing reporting procedures
2 for such state or local law enforcement agencies, including the form for
3 reporting such information. In addition to any other information which
4 the superintendent [~~of the division of state police~~] may require, the
5 form shall require: (a) the serial number or other identifying informa-
6 tion on the gun, if available; and (b) a brief description of the
7 circumstances under which the gun came into the possession of the law
8 enforcement agency, including the crime which was or may have been
9 committed with the gun. Whenever a state or local law enforcement agency
10 seizes or recovers a gun that was unlawfully possessed, recovered from a
11 crime scene, or is reasonably believed to have been used in or associ-
12 ated with the commission of a crime or is otherwise recovered as an
13 abandoned or discarded gun, the agency shall report such seized or
14 recovered gun to the criminal gun clearinghouse as soon as practicable,
15 but in no case more than twenty-four hours after the agency has taken
16 possession of such gun. Every report made to the criminal gun clearing-
17 house will result in the prompt submission of a request to the national
18 tracing center of the bureau of alcohol, tobacco, firearms and
19 explosives to trace the movement of the subject gun and such federal
20 agency will be requested to provide the results of such a trace to the
21 superintendent [~~of the division of state police~~] and to the law enforce-
22 ment agency that submitted the clearinghouse report. The superintendent
23 shall provide the department of law with direct, real-time access to the
24 criminal gun clearinghouse.

25 § 3. Section 297 of the executive law is amended by adding a new
26 subdivision 11 to read as follows:

27 11. Where the attorney general determines that an unlawful discrimina-
28 tory practice is repeated or otherwise persistent, the attorney general
29 shall have a cause of action in any court of appropriate jurisdiction
30 for damages, injunctive relief, and such other remedies as may be appro-
31 priate. The attorney general is authorized to take proof, issue subpoe-
32 nas, and administer oaths when investigating whether an action should be
33 filed. The term "repeated" as used in this subdivision shall include
34 repetition of any separate and distinct unlawful discriminatory prac-
35 tice, or conduct that affects more than one person. The term "persist-
36 ent" as used in this subdivision shall include continuance or carrying
37 on of any unlawful discriminatory practice. Nothing in this section
38 shall in any way limit rights or remedies which are otherwise available
39 under law to the attorney general or any other person authorized to
40 bring an action under this section.

41 § 4. Section 40-c of the civil rights law is amended by adding a new
42 subdivision 3 to read as follows:

43 3. Where the attorney general determines that a political subdivision
44 of the state or any private actor has violated this section in a manner
45 that is repeated or otherwise persistent, the attorney general shall
46 have a cause of action in any court of appropriate jurisdiction for
47 damages, injunctive relief, and such other remedies as may be appropri-
48 ate. The attorney general is authorized to take proof, issue subpoenas,
49 and administer oaths when investigating whether an action should be
50 filed. The term "repeated" as used in this subdivision shall include
51 repetition of any separate and distinct violation, or conduct that
52 affects more than one person. The term "persistent" as used in this
53 subdivision shall include continuance or carrying on of any violation.
54 Nothing in this section shall in any way limit rights or remedies which
55 are otherwise available under law to the attorney general or any other
56 person authorized to bring an action under this section.

§ 5. Section 75 of the executive law is amended by adding a new subdivision 6 to read as follows:

6. It is unlawful for any covered agency, or any agent thereof, or any person acting on behalf of a covered agency, to engage in a pattern or practice of conduct that deprives persons of rights, privileges, or immunities secured or protected by the constitution or laws of the United States or the state of New York. Whenever the attorney general has reasonable cause to believe that a violation of this section has occurred, the attorney general, for or in the name of the state of New York, may in a civil action obtain any and all appropriate relief to eliminate the pattern or practice. Venue for a civil action brought under this section shall be in New York County or Albany County. Nothing in this section shall in any way limit rights or remedies which are otherwise available under law to the attorney general or any other person.

§ 6. The education law is amended by adding a new section 2-e to read as follows:

§ 2-e. Addressing repeated or persistent discrimination. 1. The attorney general shall have jurisdiction to investigate and bring any civil action or proceeding in a manner consistent with the authority granted by subdivision twelve of section sixty-three of the executive law, including to take proof, make determinations, and issue subpoenas, which, in the attorney general's judgment, is necessary for the effective enforcement of any provision of this chapter, the violation of which resulted or foreseeably will result in repeated or persistent discrimination based on a person's actual or perceived race, color, weight, national origin, citizenship or immigration status, ethnic group, religion or creed, religious practice, disability, sexual orientation, gender expression or gender identity, sex, marital status, familial status, pregnancy, or status as a victim of domestic violence, sex offenses, or stalking, by any covered entity. For the purposes of this section, "covered entity" shall include all public elementary or secondary schools, school districts, and charter schools; provided, however, nothing in this section shall apply to colleges, universities, or private, religious, or denominational educational institutions. Testimonial evidence given by school employees in such enforcement matter shall not be admissible against such employee in a disciplinary proceeding brought against such employee by the employing school district or other entity.

2. Where the attorney general has the authority to bring a civil action or proceeding in connection with the enforcement of this chapter, in lieu thereof, the attorney general may accept an assurance that such act or practice in violation of subdivision one of this section from any person or covered entity has ceased. Evidence of a violation of such assurance shall constitute a prima facie proof of violation of the applicable law in any civil action or proceeding thereafter commenced by the attorney general. Any civil action or proceeding brought in connection with the enforcement of this section shall be commenced within six years.

3. Nothing in this section shall preclude or limit the rights, remedies or causes of action provided under any law to the attorney general, any person, agency authorized to enforce or bring an action under this chapter, or under any local, state, or federal ordinance, law, or regulation including but not limited to, any remedies or rights available under the individuals with disabilities education act, titles VI and VII of the civil rights act of 1964, title IX of the education amendments of

1 1972, section 504 of the rehabilitation act of 1973, or the Americans
2 with disabilities act of 1990.

3 § 7. Subdivision 10 of section 355 of the education law, as amended by
4 chapter 552 of the laws of 1985, is amended to read as follows:

5 10. The state university trustees may authorize the chief administra-
6 tive officer of each medical center of the state university operating
7 in-patient or out-patient hospital facilities or clinic facilities to
8 compromise any claim which the state may have for care, maintenance or
9 treatment received or furnished to patients in such facilities, in prop-
10 er cases, where substantial justice will best be served thereby. Any
11 such compromise shall be [~~subject to the prior written approval of the~~
12 ~~attorney general~~] in accordance with parameters established by the
13 office of the attorney general.

14 § 8. Subdivision 3 of section 2602 of the public health law, as added
15 by chapter 425 of the laws of 1967, is amended to read as follows:

16 3. The commissioner may in [~~his~~] the commissioner's discretion, in
17 proper cases, where substantial justice will best be served thereby,
18 waive such bills or compromise any portion of such bills for the mainte-
19 nance, care and treatment received or furnished to patients in the
20 hospital. Such waiver or compromise shall be made only upon prior
21 approval of the comptroller [~~and the attorney general~~] when [~~they deem~~]
22 the comptroller deems it to be for the best interest of the state.

23 § 9. Subdivision 3 of section 406 of the public health law, as added
24 by chapter 211 of the laws of 1972, is amended to read as follows:

25 3. The commissioner may in [~~his~~] the commissioner's discretion, in
26 proper cases, where substantial justice will best be served thereby,
27 waive bills for the maintenance, care and treatment received or
28 furnished to patients in any of the hospitals or institutions of the
29 department or compromise any portion of such bills. Such waiver or
30 compromise shall be made only upon prior approval of the comptroller
31 [~~and the attorney general~~] when [~~they deem~~] the comptroller deems it to
32 be for the best interest of the state.

33 § 10. Severability. If any provision of this act, or any application
34 of any provision of this act, is held to be invalid, that shall not
35 affect the validity or effectiveness of any other provision of this act,
36 any other application of any provision of this act, or any other
37 provision of any law or code amended by this act.

38 § 11. This act shall take effect immediately.