

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

10980

I N A S S E M B L Y

May 5, 2010

Introduced by M. of A. DenDEKKER -- read once and referred to the
Committee on Codes

AN ACT to amend the penal law, in relation to establishing a new crime
for the illegal release of sealed records

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

1 Section 1. The penal law is amended by adding two new sections 215.85
2 and 215.87 to read as follows:
3 S 215.85 ILLEGAL RELEASE OF SEALED RECORDS.
4 A PERSON OR AGENCY IS GUILTY OF THE ILLEGAL RELEASE OF SEALED RECORDS
5 WHEN HE OR SHE KNOWINGLY FAILS TO SEAL OR RELEASES RECORDS OR INFORMA-
6 TION ORDERED TO BE SEALED, CONCERNING A TERMINATED CRIMINAL ACTION OR
7 PROCEEDING AS DESCRIBED IN SECTION 160.50 OF THE CRIMINAL PROCEDURE LAW.
8 ILLEGAL RELEASE OF SEALED RECORDS IS A CLASS B MISDEMEANOR.
9 S 215.87 ILLEGAL RELEASE OF SEALED RECORDS FOR FINANCIAL GAIN.
10 A PERSON OR AGENCY IS GUILTY OF THE ILLEGAL RELEASE OF SEALED RECORDS
11 FOR FINANCIAL GAIN WHEN HE OR SHE KNOWINGLY RELEASES RECORDS OR INFORMA-
12 TION ORDERED TO BE SEALED AND USES SUCH RECORDS OR INFORMATION FOR
13 FINANCIAL GAIN OR FOR WILLFUL DESTRUCTION OF A PERSON'S CHARACTER.
14 ILLEGAL RELEASE OF SEALED RECORDS FOR FINANCIAL GAIN IS A CLASS A
15 MISDEMEANOR.
16 S 2. This act shall take effect on the first of November next succeed-
17 ing the date on which it shall have become a law.

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

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