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

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I N A S S E M B L Y

June 8, 2010

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Perry, DenDekker) -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the public officers law, in relation to the release of sealed court records

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

Section 1. The public officers law is amended by adding a new section 81 to read as follows:

S 81. RELEASE OF SEALED COURT RECORDS. 1. ANY PERSON WHO INTENTIONALLY RELEASES OR OTHERWISE DISCLOSES TO ANOTHER THE NATURE, SUBSTANCE OR CONTENTS OF A SEALED COURT RECORD, EXCEPT IF REQUIRED BY STATUTE OR UPON WRITTEN ORDER ISSUED BY A COURT OF COMPETENT JURISDICTION, SHALL BE GUILTY OF A CLASS A MISDEMEANOR. NOTHING CONTAINED HEREIN SHALL PROHIBIT AN INDIVIDUAL WHO IS THE SUBJECT OF A SEALED COURT RECORD OR, IF SUCH PERSON IS DECEASED, THE PERSONAL REPRESENTATIVE OF HIS OR HER ESTATE, FROM DISCLOSING TO ANOTHER THE NATURE, SUBSTANCE OR CONTENTS OF HIS OR HER COURT RECORD.

2. A "SEALED COURT RECORD" SHALL MEAN ANY RECORD REQUIRED TO BE SEALED PURSUANT TO SECTION 160.50, 160.55, 160.58, 720.15, OR 725.15 OF THE CRIMINAL PROCEDURE LAW, OR SECTION 375.1 OR 375.2 OF THE FAMILY COURT ACT.

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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