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

3370

2009-2010 Regular Sessions

I N A S S E M B L Y

January 27, 2009

Introduced by M. of A. PERRY -- Multi-Sponsored by -- M. of A. BRODSKY, CAHILL, COOK, DIAZ, FARRELL, GALEF, GLICK, GOTTFRIED, GREENE, HOOPER, HOYT, JAFFEE, McENENY, MENG, MILLMAN, ORTIZ, PHEFFER, ROBINSON, TOWNS, WRIGHT -- read once and referred to the Committee on Codes

AN ACT to amend the family court act and the penal law, in relation to prohibiting public officials from unsealing juvenile police records

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

Section 1. The family court act is amended by adding a new section 381.4 to read as follows:

S 381.4. PROHIBITION OF PUBLIC OFFICIALS TO UNSEAL POLICE RECORDS. UNLESS AUTHORIZED BY A COURT OF COMPETENT JURISDICTION, THE RELEASE BY AN APPOINTED OR ELECTED PUBLIC OFFICIAL OR AN EMPLOYEE WHO IS A CARETAKER OF JUVENILE OFFENDER RECORDS OR OTHER COURT RECORDS THAT HAVE BEEN SEALED PURSUANT TO THIS ARTICLE IS PROHIBITED.

S 2. Section 195.00 of the penal law is amended by adding a new subdivision 3 to read as follows:

3. HE OR SHE IS AN APPOINTED OR ELECTED PUBLIC OFFICIAL OR A PUBLIC EMPLOYEE WHO IS THE CARETAKER OF JUVENILE OFFENDER RECORDS OR OTHER COURT RECORDS THAT HAVE BEEN SEALED PURSUANT TO LAW, AND HE OR SHE KNOWINGLY RELEASES SUCH SEALED JUVENILE OFFENDER RECORDS OR OTHER COURT RECORDS WITHOUT AUTHORIZATION BY AN ORDER OF A COURT OF COMPETENT JURISDICTION.

S 3. This act shall take effect on the first of November next succeeding 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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