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

5082

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. LEIBELL -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law, in relation to electronic equivalents of certain personal identification and criminal history data

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

Section 1. Subdivision 7 of section 837 of the executive law, as added by chapter 399 of the laws of 1972 and such section as renumbered by chapter 603 of the laws of 1973, is amended to read as follows:

7. Receive, process and file fingerprints, photographs and other descriptive data for the purpose of establishing identity and previous criminal record. WHENEVER ANY PROVISION OF LAW REQUIRES OR PERMITS THE SUBMISSION, TRANSMISSION, FORWARDING, RETENTION, RETURN OR DESTRUCTION THEREOF, THE TERMS "CRIMINAL RECORD", "CRIMINAL HISTORY RECORD", "FINGERPRINTS", "FINGERPRINT CARDS", "PHOTOGRAPHS", "PALMPRINTS", "PERSONAL APPEARANCE DATA", "HANDWRITING SAMPLES", AND "DESCRIPTIVE DATA" SHALL MEAN AND INCLUDE DIGITAL OR ELECTRONIC IMAGES, IMPRESSIONS, REPRESENTATIONS OR REPRODUCTIONS OF SUCH CRIMINAL RECORD, CRIMINAL HISTORY RECORD, FINGERPRINTS, FINGERPRINT CARDS, PHOTOGRAPHS, PALMPRINTS, PHOTOGRAPHIC PLATES OR PROOFS, PERSONAL APPEARANCE DATA, HANDWRITING SAMPLES AND DESCRIPTIVE DATA OR ANY OTHER RELATED MATERIALS IN THE POSSESSION OR CONTROL OF THE DIVISION THAT MAY BE USED FOR THE PURPOSE OF ESTABLISHING IDENTITY OR PREVIOUS CRIMINAL RECORD;

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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