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I N   A S S E M B L Y

April 14, 2010

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Introduced by M. of A. ZEBROWSKI, CHRISTENSEN, GABRYSZAK, JEFFRIES,  
KOON, REILLY -- read once and referred to the Committee on Local  
Governments

AN ACT to amend the county law and the public officers law, in relation  
to prohibiting the broadcast of a 911 call

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

- 1     Section 1. Subdivision 4 of section 308 of the county law, as amended  
2     by chapter 309 of the laws of 1996, is amended to read as follows:  
3     4. (A) Records, in whatever form they may be kept, of calls made to a  
4     municipality's E911 system shall not be made available to or obtained by  
5     any entity or person, other than that municipality's public safety agen-  
6     cy, another government agency or body, or a private entity or a person  
7     providing medical, ambulance or other emergency services, and shall not  
8     be utilized for any commercial purpose other than the provision of emer-  
9     gency services.  
10    (B) NO ENTITY OR PERSON SHALL PLAY A RECORDING OF A CALL MADE OVER THE  
11    E911 SYSTEM ON A BROADCAST MEDIUM, INCLUDING, BUT NOT LIMITED TO RADIO,  
12    TELEVISION, OR THE INTERNET AS DEFINED BY PARAGRAPH (C) OF SUBDIVISION  
13    TWO OF SECTION THREE HUNDRED NINETY-B OF THE GENERAL BUSINESS LAW. THIS  
14    SECTION SHALL NOT PROHIBIT READING OR DISPLAYING A TRANSCRIPT OF SUCH A  
15    RECORDING. WHOEVER VIOLATES THIS SECTION SHALL BE SUBJECT TO A FINE OF  
16    FIVE THOUSAND DOLLARS FOR EACH VIOLATION.  
17    S 2. Paragraph (b) of subdivision 2 of section 89 of the public offi-  
18    cers law, as added by chapter 933 of the laws of 1977, subparagraph iii  
19    as amended by chapter 223 of the laws of 2008 and subparagraph v as  
20    amended and subparagraph vi as added by chapter 545 of the laws of 1998,  
21    is amended to read as follows:  
22    (b) An unwarranted invasion of personal privacy includes, but shall  
23    not be limited to:  
24    i. disclosure of employment, medical or credit histories or personal  
25    references of applicants for employment;  
26    ii. disclosure of items involving the medical or personal records of a  
27    client or patient in a medical facility;

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

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1     iii. sale or release of lists of names and addresses if such lists  
2 would be used for solicitation or fund-raising purposes;  
3     iv. disclosure of information of a personal nature when disclosure  
4 would result in economic or personal hardship to the subject party and  
5 such information is not relevant to the work of the agency requesting or  
6 maintaining it; [or]  
7     v. disclosure of information of a personal nature reported in confi-  
8 dence to an agency and not relevant to the ordinary work of such agency;  
9 [or]  
10    vi. information of a personal nature contained in a workers' compen-  
11 sation record, except as provided by section one hundred ten-a of the  
12 workers' compensation law[.]; OR  
13    VII. A RECORDING OF A CALL MADE OVER THE E911 SYSTEM AS DEFINED IN  
14 SUBDIVISION THREE OF SECTION THREE HUNDRED ONE OF THE COUNTY LAW.  
15    S 3. This act shall take effect immediately.