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

April 14, 2010

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 4 of section 308 of the county law, as amended by chapter 309 of the laws of 1996, is amended to read as follows:

4. (A) Records, in whatever form they may be kept, of calls made to a municipality's E911 system shall not be made available to or obtained by any entity or person, other than that municipality's public safety agency, another government agency or body, or a private entity or a person providing medical, ambulance or other emergency services, and shall not be utilized for any commercial purpose other than the provision of emergency services.

(B) NO ENTITY OR PERSON SHALL PLAY A RECORDING OF A CALL MADE OVER THE E911 SYSTEM ON A BROADCAST MEDIUM, INCLUDING, BUT NOT LIMITED TO RADIO, TELEVISION, OR THE INTERNET AS DEFINED BY PARAGRAPH (C) OF SUBDIVISION TWO OF SECTION THREE HUNDRED NINETY-B OF THE GENERAL BUSINESS LAW. THIS SECTION SHALL NOT PROHIBIT READING OR DISPLAYING A TRANSCRIPT OF SUCH A RECORDING. WHOEVER VIOLATES THIS SECTION SHALL BE SUBJECT TO A FINE OF FIVE THOUSAND DOLLARS FOR EACH VIOLATION.

S 2. Paragraph (b) of subdivision 2 of section 89 of the public officers law, as added by chapter 933 of the laws of 1977, subparagraph iii as amended by chapter 223 of the laws of 2008 and subparagraph v as amended and subparagraph vi as added by chapter 545 of the laws of 1998, is amended to read as follows:

(b) An unwarranted invasion of personal privacy includes, but shall not be limited to:

i. disclosure of employment, medical or credit histories or personal references of applicants for employment;

ii. disclosure of items involving the medical or personal records of a 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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iii. sale or release of lists of names and addresses if such lists would be used for solicitation or fund-raising purposes;

iv. disclosure of information of a personal nature when disclosure would result in economic or personal hardship to the subject party and such information is not relevant to the work of the agency requesting or maintaining it; [or]

v. disclosure of information of a personal nature reported in confidence to an agency and not relevant to the ordinary work of such agency; [or]

vi. information of a personal nature contained in a workers' compensation record, except as provided by section one hundred ten-a of the workers' compensation law[.]; OR

VII. A RECORDING OF A CALL MADE OVER THE E911 SYSTEM AS DEFINED IN SUBDIVISION THREE OF SECTION THREE HUNDRED ONE OF THE COUNTY LAW.

S 3. This act shall take effect immediately.