

10985

I N   A S S E M B L Y

May 5, 2010

---

Introduced by M. of A. MARKEY, DESTITO, GALEF, GUNTHER, CHRISTENSEN,  
KOON, MILLMAN, JAFFEE, STIRPE, PHEFFER, THIELE, SPANO, SCARBOROUGH --  
Multi-Sponsored by -- M. of A. BENJAMIN, GIBSON, JEFFRIES, JOHN,  
McENENY, SKARTADOS, SWEENEY, WRIGHT -- read once and referred to the  
Committee on Governmental Operations

AN ACT to amend the public officers law, in relation to defining certain  
records maintained by the office of homeland security as public agency  
safety records

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

1     Section 1. Subdivision 8 of section 92 of the public officers law, as  
2     amended by chapter 336 of the laws of 1992, is amended to read as  
3     follows:  
4     (8) Public safety agency record. The term "public safety agency  
5     record" means a record of the commission of correction, the temporary  
6     state commission of investigation, the department of correctional  
7     services, the division for youth, the division of parole, the crime  
8     victims board, the division of probation and correctional alternatives  
9     or the division of state police or of any agency or component thereof  
10    whose primary function is the enforcement of civil or criminal statutes  
11    if such record pertains to investigation, law enforcement, confinement  
12    of persons in correctional facilities or supervision of persons pursuant  
13    to criminal conviction or court order, and any records maintained by the  
14    division of criminal justice services pursuant to sections eight hundred  
15    thirty-seven, eight hundred thirty-seven-a, eight hundred thirty-sev-  
16    en-b, eight hundred thirty-seven-c, eight hundred thirty-eight, eight  
17    hundred thirty-nine, eight hundred forty-five, and eight hundred forty-  
18    five-a of the executive law and by the department of state pursuant to  
19    section ninety-nine of the executive law AND BY THE OFFICE OF HOMELAND  
20    SECURITY PURSUANT TO PARAGRAPHS (F) AND (G) OF SUBDIVISION TWO OF  
21    SECTION SEVEN HUNDRED NINE OF THE EXECUTIVE LAW.  
22    S 2. This act shall take effect immediately.

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

LBD15671-01-0