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

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 8 of section 92 of the public officers law, as amended by chapter 336 of the laws of 1992, is amended to read as follows:

(8) Public safety agency record. The term "public safety agency record" means a record of the commission of correction, the temporary state commission of investigation, the department of correctional services, the division for youth, the division of parole, the crime victims board, the division of probation and correctional alternatives or the division of state police or of any agency or component thereof whose primary function is the enforcement of civil or criminal statutes if such record pertains to investigation, law enforcement, confinement of persons in correctional facilities or supervision of persons pursuant to criminal conviction or court order, and any records maintained by the division of criminal justice services pursuant to sections eight hundred thirty-seven, eight hundred thirty-seven-a, eight hundred thirty-seven-b, eight hundred thirty-seven-c, eight hundred thirty-eight, eight hundred thirty-nine, eight hundred forty-five, and eight hundred forty-five-a of the executive law and by the department of state pursuant to section ninety-nine of the executive law AND BY THE OFFICE OF HOMELAND SECURITY PURSUANT TO PARAGRAPHS (F) AND (G) OF SUBDIVISION TWO OF SECTION SEVEN HUNDRED NINE OF THE EXECUTIVE LAW.

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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