

4296

2009-2010 Regular Sessions

I N A S S E M B L Y

February 3, 2009

Introduced by M. of A. BRODSKY -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to employee non-disclosure agreements

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

1 Section 1. The public authorities law is amended by adding a new  
2 section 2852 to read as follows:  
3 S 2852. EMPLOYEE NON-DISCLOSURE AGREEMENTS. IT SHALL BE UNLAWFUL FOR  
4 ANY PUBLIC AUTHORITY AS DEFINED IN SECTION TWO OF THIS CHAPTER TO ENTER  
5 INTO ANY CONTRACT OR AGREEMENT WITH ANY MEMBER OF THE BOARD, OFFICER OR  
6 EMPLOYEE EITHER AS A CONDITION OF EMPLOYMENT OR OTHERWISE, TO REFUSE TO  
7 DISCLOSE ANY INFORMATION RECEIVED OR LEARNED BY SUCH MEMBER OF THE  
8 BOARD, OFFICER OR EMPLOYEE IN THE COURSE OF HIS OR HER EMPLOYMENT EXCEPT  
9 SUCH INFORMATION AS SUCH PUBLIC AUTHORITY HAS DETERMINED THAT IT WOULD  
10 DENY ACCESS TO IN ITS PUBLISHED RULES IN ACCORDANCE WITH SUBDIVISION TWO  
11 OF SECTION EIGHTY-SEVEN OF THE PUBLIC OFFICERS LAW. NO PUBLIC AUTHORITY  
12 SHALL MAKE ANY ATTEMPT PUBLIC OR PRIVATE, BY JUDICIAL ACTION OR OTHER-  
13 WISE, TO ENFORCE ANY SUCH CONTRACT OR AGREEMENT WHETHER SUCH CONTRACT OR  
14 AGREEMENT WAS MADE BEFORE OR AFTER THE EFFECTIVE DATE OF THIS SECTION.  
15 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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