

7286

I N S E N A T E

March 29, 2010

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Introduced by Sen. ESPADA -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to establishing a penalty for the illegal release of sealed records

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

1 Section 1. The criminal procedure law is amended by adding a new  
2 section 160.65 to read as follows:  
3 S 160.65 ILLEGAL RELEASE OF SEALED RECORDS; PENALTY.  
4 1. ANY PERSON OR AGENCY THAT KNOWINGLY FAILS TO SEAL OR THAT RELEASES  
5 RECORDS OR INFORMATION ORDERED TO BE SEALED, CONCERNING A TERMINATED  
6 CRIMINAL ACTION OR PROCEEDING AS DESCRIBED IN SECTION 160.50 OF THIS  
7 ARTICLE, SHALL BE GUILTY OF A CLASS B MISDEMEANOR.  
8 2. ANY PERSON OR AGENCY THAT KNOWINGLY RELEASES RECORDS OR INFORMATION  
9 ORDERED TO BE SEALED AND USES SUCH RECORDS OR INFORMATION FOR FINANCIAL  
10 GAIN, OR FOR WILLFUL DESTRUCTION OF A PERSON'S CHARACTER, WHETHER SUCH  
11 PERSON IS DECEASED OR LIVING, SHALL BE GUILTY OF A CLASS A MISDEMEANOR.  
12 S 2. This act shall take effect on the first of November next succeed-  
13 ing the date on which it shall have become a law.

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

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