S T A T E O F N E W Y O R K

2788

2011-2012 Regular Sessions

I N A S S E M B L Y

January 20, 2011

Introduced by M. of A. CROUCH, KOLB, GIGLIO, BARCLAY, DUPREY, HAWLEY, OAKS -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the civil rights law, in relation to protecting the right of privacy of victims of sex offenses or offenses involving the transmission of the human immunodeficiency virus, under the age of eighteen, by prohibiting the disclosure of certain characteristics

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

Section 1. Subdivision 1 of section 50-b of the civil rights law, as amended by chapter 320 of the laws of 2006, is amended to read as follows:

1. The identity of any victim of a sex offense, as defined in article one hundred thirty or section 255.25, 255.26 or 255.27 of the penal law, or of an offense involving the alleged transmission of the human immunodeficiency virus, shall be confidential. *ANY CHARACTERISTIC OF A PERSON UNDER THE AGE OF EIGHTEEN INCLUDING, BUT NOT LIMITED TO, AGE OR GENDER AND SUCH PERSON'S ADDRESS SHALL BE CONFIDENTIAL. ADDITIONALLY, IF A VICTIM IS UNDER THE AGE OF EIGHTEEN AND IS RELATED TO THE ACCUSED, THE RELATION SHALL BE CONFIDENTIAL.* No report, paper, picture, photograph, court file or other documents, in the custody or possession of any public officer or employee, which identifies such a victim shall be made available for public inspection. No such public officer or employee shall disclose any portion of any police report, court file, or other document, which tends to identify such a victim except as provided in subdivision two of this section.

S 2. This act shall take effect on the sixtieth day after 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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