

3008

2011-2012 Regular Sessions

I N   S E N A T E

February 7, 2011

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

AN ACT to amend the executive law, in relation to authorizing police agencies to include administrative costs in fees for copies of police agency records

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

1     Section 1. The executive law is amended by adding a new section 837-s  
2     to read as follows:  
3     S 837-S. FEES FOR COPIES OF POLICE AGENCY RECORDS. 1. EXCEPT AS  
4     PROVIDED BY LAW THAT NO FEE SHALL BE CHARGED, LOCAL POLICE AGENCIES MAY  
5     CHARGE A FEE FOR SEARCHING THE POLICE AGENCY RECORDS, COPYING THE  
6     RESULTING DOCUMENTS, AND PREPARING SUCH DOCUMENTS FOR MAILING AS  
7     PROVIDED IN THIS SECTION. PROVIDED, HOWEVER, THAT NO FEE SHALL BE  
8     CHARGED ANY PUBLIC OFFICER, BOARD, BODY, AGENCY, OR DEPARTMENT OR VOLUN-  
9     TEER FIRE COMPANY, FOR SEARCHES OR COPIES OF DOCUMENTS TO BE USED FOR A  
10    PUBLIC PURPOSE.  
11    2. FEES FOR SEARCHES OF POLICE AGENCY RECORDS. (A) THE FEE FOR A  
12    SEARCH WHICH IS MADE MANUALLY BY THE POLICE AGENCY SHALL BE FIVE DOLLARS  
13    PER REQUEST.  
14    (B) THE FEE FOR A SEARCH WHICH IS CONDUCTED BY MEANS OF AN ELECTRONIC  
15    MEDIUM SHALL BE THREE DOLLARS PER REQUEST.  
16    3. FEES FOR COPIES OF DOCUMENTS AND PREPARATION FOR MAILING. THE FEES  
17    FOR COPIES OF DOCUMENTS, OTHER THAN ACCIDENT REPORTS, SHALL BE ONE  
18    DOLLAR PER PAGE. A PAGE SHALL CONSIST OF EITHER A SINGLE OR DOUBLE-SIDE  
19    OF ANY DOCUMENT. THE FEE FOR A COPY OF AN ACCIDENT REPORT SHALL BE  
20    FIFTEEN DOLLARS. ALL COPIES OF DOCUMENTS SHALL BE CERTIFIED AT NO ADDI-  
21    TIONAL FEE. WHENEVER A SEARCH OF RECORDS OF THE POLICE AGENCY IS  
22    REQUIRED IN CONJUNCTION WITH A COPY OF A DOCUMENT, THE FEE SHALL BE THE  
23    FEE FOR THE SEARCH AS PROVIDED IN SUBDIVISION TWO OF THIS SECTION. THE  
24    RESULT OF SUCH SEARCH WILL BE THE LOCATING OF THE DOCUMENT, OR IF NO

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

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1 DOCUMENT CAN BE LOCATED, A CERTIFICATION TO THAT EFFECT WILL BE THE  
2 RESULT OF SUCH SEARCH. THE FEE FOR THE PREPARATION FOR MAILING, IF  
3 NECESSARY, SHALL BE TWO DOLLARS PER REQUEST.  
4 S 2. This act shall take effect on the sixtieth day after it shall  
5 have become a law.