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

5101

2011-2012 Regular Sessions

I N S E N A T E

May 3, 2011

Introduced by Sen. JOHNSON -- 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 the removal from the criminal history records of the division of criminal justice service of certain convictions of misdemeanors and violations which occurred 20 or more years in the past

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

Section 1. The executive law is amended by adding a new section 837-s to read as follows:

S 837-S. REMOVAL OF CERTAIN CONVICTIONS FROM CRIMINAL HISTORY RECORDS. THE COMMISSIONER SHALL, UPON WRITTEN APPLICATION OF ANY PERSON WHO HAS NOT BEEN CONVICTED OF A FELONY, MISDEMEANOR OR VIOLATION FOR MORE THAN TWENTY YEARS ON THE DATE OF SUCH APPLICATION, REMOVE FROM THE CRIMINAL HISTORY RECORDS MAINTAINED BY THE DIVISION ALL INFORMATION RELATING TO ANY CONVICTION OF SUCH PERSON OF A VIOLATION OR MISDEMEANOR OCCURRING MORE THAN TWENTY YEARS BEFORE THE DATE OF THE APPLICATION.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided, that, effective immediately, any rules and regulations necessary to implement the provisions of this act on its effective date are authorized and directed to be completed on or before such date.

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

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