

1316

2011-2012 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 5, 2011

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Introduced by M. of A. LENTOL -- read once and referred to the Committee  
on Governmental Operations

AN ACT to amend the civil rights law, in relation to the confidentiality  
of certain personnel records maintained by the department of taxation  
and finance

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

1     Section 1. Subdivision 1 of section 50-a of the civil rights law, as  
2     amended by chapter 137 of the laws of 2002, is amended to read as  
3     follows:  
4     1. All personnel records, used to evaluate performance toward contin-  
5     ued employment or promotion, under the control of any police agency or  
6     department of the state or any political subdivision thereof including  
7     authorities or agencies maintaining police forces of individuals defined  
8     as police officers in section 1.20 of the criminal procedure law [and],  
9     such personnel records under the control of a sheriff's department or a  
10    department of correction of individuals employed as correction officers  
11    [and], such personnel records under the control of a paid fire depart-  
12    ment or force of individuals employed as firefighters or  
13    firefighter/paramedics [and], such personnel records under the control  
14    of the division of parole for individuals defined as peace officers  
15    pursuant to subdivisions twenty-three and twenty-three-a of section 2.10  
16    of the criminal procedure law AND SUCH PERSONNEL RECORDS UNDER THE  
17    CONTROL OF THE DEPARTMENT OF TAXATION AND FINANCE FOR INDIVIDUALS  
18    DEFINED AS POLICE OFFICERS PURSUANT TO SECTION 1.20 OF THE CRIMINAL  
19    PROCEDURE LAW OR AS PEACE OFFICERS PURSUANT TO SECTION 2.10 OF THE CRIM-  
20    INAL PROCEDURE LAW shall be considered confidential and not subject to  
21    inspection or review without the express written consent of such police  
22    officer, firefighter, firefighter/paramedic, correction officer, PEACE  
23    OFFICER OR POLICE OFFICER EMPLOYED BY THE DEPARTMENT OF TAXATION AND  
24    FINANCE or peace officer within the division of parole except as may be  
25    mandated by lawful court order.  
26    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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