

731

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

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

AN ACT to amend the executive law, in relation to the definition of
qualified agencies

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

1 Section 1. Subdivision 9 of section 835 of the executive law, as
2 amended by section 39 of part A of chapter 56 of the laws of 2010, is
3 amended to read as follows:
4 9. "Qualified agencies" means courts in the unified court system, the
5 administrative board of the judicial conference, probation departments,
6 sheriffs' offices, district attorneys' offices, the state department of
7 correctional services, the department of correction of any municipality,
8 the insurance frauds bureau of the state department of insurance, the
9 office of professional medical conduct of the state department of health
10 for the purposes of section two hundred thirty of the public health law,
11 the child protective services unit of a local social services district
12 when conducting an investigation pursuant to subdivision six of section
13 four hundred twenty-four of the social services law, the office of Medi-
14 caid inspector general, the temporary state commission of investigation,
15 the criminal investigations bureau of the banking department, police
16 forces and departments having responsibility for enforcement of the
17 general criminal laws of the state and the Onondaga County Center for
18 Forensic Sciences Laboratory when acting within the scope of its law
19 enforcement duties AND ANY LEGAL AID SOCIETY OR A LEGAL SERVICES OR
20 OTHER NONPROFIT ORGANIZATION, WHICH HAS AS ITS PRIMARY PURPOSE THE
21 FURNISHING OF LEGAL SERVICES TO INDIGENT PERSONS, OR BY PRIVATE COUNSEL
22 WORKING ON BEHALF OF OR UNDER THE AUSPICES OF SUCH SOCIETY OR ORGANIZA-
23 TION PROVIDED THAT A DETERMINATION HAS BEEN MADE BY SUCH SOCIETY, ORGAN-
24 IZATION OR ATTORNEY THAT SUCH PARTY IS UNABLE TO PAY THE COSTS, FEES AND

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

LBD03363-01-1

1 EXPENSES NECESSARY TO OBTAIN THE INDIGENT CLIENT'S RECORD AND PROVIDED
2 THE LEGAL AID SOCIETY OR A LEGAL SERVICES OR OTHER NONPROFIT ORGANIZA-
3 TION OR BY PRIVATE COUNSEL WORKING ON BEHALF OF OR UNDER THE AUSPICES OF
4 SUCH SOCIETY OR ORGANIZATION IS OBTAINING THE RECORD FOR AN INDIVIDUAL
5 WHO HAS AUTHORIZED THE SOCIETY, ORGANIZATION, OR INDIVIDUAL UNDER
6 AUSPICES OF SUCH FOR THE PURPOSE OF ASCERTAINING THE INDIVIDUAL'S
7 RECORD, CORRECTING AND/OR SEALING ANY ELIGIBLE INFORMATION, AND/OR
8 APPLYING FOR CERTIFICATES OF RELIEF FROM DISABILITY OR CERTIFICATES OF
9 GOOD CONDUCT.
10 S 2. This act shall take effect immediately.