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

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I N A S S E M B L Y

February 24, 2012

Introduced by M. of A. DenDEKKER, SIMANOWITZ, CRESPO, WEPRIN, McDONOUGH, GRAF, ROBERTS, HOOPER -- Multi-Sponsored by -- M. of A. AUBRY, BOYLAND, BURLING, McKEVITT, J. MILLER, MURRAY, TITONE -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to establishing a voluntary surveillance access database

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 718 to read as follows:

S 718. VOLUNTARY SURVEILLANCE ACCESS DATABASE. 1. THE DIVISION SHALL ESTABLISH A VOLUNTARY SURVEILLANCE ACCESS DATABASE TO BE MADE ACCESSIBLE, UPON WRITTEN REQUEST, TO ANY LAW ENFORCEMENT AGENCY SOLELY FOR PURPOSES OF A CRIMINAL INVESTIGATION.

2. RESIDENTIAL HOME OWNERS AND BUSINESS OWNERS WHO MAINTAIN A CLOSED-CIRCUIT TELEVISION OR OTHER ELECTRONIC VIDEO SURVEILLANCE SYSTEM MAY ELECT TO REGISTER SUCH INFORMATION, LIMITED TO THE LOCATION OF SUCH SYSTEM AND THE CONTACT INFORMATION FOR THE OWNER, WITH THE VOLUNTARY SURVEILLANCE ACCESS DATABASE. SUCH OWNERS MAY WITHDRAW SUCH REGISTRATION FROM THE DATABASE AT ANY TIME.

3. REGISTRATION INFORMATION FROM SUCH DATABASE SHALL BE KEPT CONFIDENTIAL AND SHALL NOT BE MADE AVAILABLE FOR DISCLOSURE OR INSPECTION UNDER THE STATE FREEDOM OF INFORMATION LAW UNLESS A SUBPOENA OR OTHER COURT ORDER DIRECTS THE DIVISION TO RELEASE SUCH INFORMATION OR IMAGE.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.

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

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