

1325

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. ZEBROWSKI, GABRYSZAK, MILLMAN -- read once and referred to the Committee on Local Governments

AN ACT to amend the county law and the public officers law, in relation to prohibiting the broadcast of a 911 call

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

1 Section 1. Subdivision 4 of section 308 of the county law, as amended
2 by chapter 309 of the laws of 1996, is amended to read as follows:

3 4. (A) Records, in whatever form they may be kept, of calls made to a
4 municipality's E911 system shall not be made available to or obtained by
5 any entity or person, other than that municipality's public safety agen-
6 cy, another government agency or body, or a private entity or a person
7 providing medical, ambulance or other emergency services, and shall not
8 be utilized for any commercial purpose other than the provision of emer-
9 gency services.

10 (B) NO ENTITY OR PERSON SHALL PLAY A RECORDING OF A CALL MADE OVER THE
11 E911 SYSTEM ON A BROADCAST MEDIUM, INCLUDING, BUT NOT LIMITED TO RADIO,
12 TELEVISION, OR THE INTERNET AS DEFINED BY PARAGRAPH (C) OF SUBDIVISION
13 TWO OF SECTION THREE HUNDRED NINETY-B OF THE GENERAL BUSINESS LAW. THIS
14 SECTION SHALL NOT PROHIBIT READING OR DISPLAYING A TRANSCRIPT OF SUCH A
15 RECORDING. WHOEVER VIOLATES THIS SECTION SHALL BE SUBJECT TO A FINE OF
16 FIVE THOUSAND DOLLARS FOR EACH VIOLATION.

17 S 2. Paragraph (b) of subdivision 2 of section 89 of the public offi-
18 cers law, as amended by section 11 of part U of chapter 61 of the laws
19 of 2011, is amended to read as follows:

20 (b) An unwarranted invasion of personal privacy includes, but shall
21 not be limited to:

22 i. disclosure of employment, medical or credit histories or personal
23 references of applicants for employment;

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

LBD00459-01-3

1 ii. disclosure of items involving the medical or personal records of a
2 client or patient in a medical facility;
3 iii. sale or release of lists of names and addresses if such lists
4 would be used for solicitation or fund-raising purposes;
5 iv. disclosure of information of a personal nature when disclosure
6 would result in economic or personal hardship to the subject party and
7 such information is not relevant to the work of the agency requesting or
8 maintaining it;
9 v. disclosure of information of a personal nature reported in confi-
10 dence to an agency and not relevant to the ordinary work of such agency;
11 vi. information of a personal nature contained in a workers' compen-
12 sation record, except as provided by section one hundred ten-a of the
13 workers' compensation law; [or]
14 vii. disclosure of electronic contact information, such as an e-mail
15 address or a social network username, that has been collected from a
16 taxpayer under section one hundred four of the real property tax law[.];
17 OR
18 VIII. A RECORDING OF A CALL MADE OVER THE E911 SYSTEM AS DEFINED IN
19 SUBDIVISION THREE OF SECTION THREE HUNDRED ONE OF THE COUNTY LAW.
20 S 3. This act shall take effect immediately.