

2440

2013-2014 Regular Sessions

I N   A S S E M B L Y

January 15, 2013

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Introduced by M. of A. GABRYSZAK, GALEF, JAFFEE, MILLMAN, CAHILL, HOOPER, ZEBROWSKI -- Multi-Sponsored by -- M. of A. ABBATE, AUBRY, BARCLAY, BRENNAN, CORWIN, CRESPO, CROUCH, DUPREY, GIGLIO, GUNTHER, HIKIND, KOLB, MAISEL, WEISENBERG -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to authorizing registration records of victims of sexual violence to be kept confidential in certain cases

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

1     Section 1. Subdivision 1 of section 5-508 of the election law is  
2 amended by adding a new paragraph (c) to read as follows:  
3     (C) "VICTIM OF SEXUAL VIOLENCE" MEANS ANY PERSON WHO IS A VICTIM OF  
4 ANY OFFENSE UNDER ARTICLE ONE HUNDRED THIRTY OF THE PENAL LAW.  
5     S 2. Section 5-508 of the election law is amended by adding a new  
6 subdivision 3 to read as follows:  
7     3. UPON APPLICATION MADE TO THE SUPREME COURT, IN THE COUNTY WHEREIN A  
8 VICTIM OF SEXUAL VIOLENCE IS REGISTERED PURSUANT TO THIS ARTICLE, THE  
9 COURT MAY ISSUE AN ORDER REQUIRING THAT ANY REGISTRATION RECORD KEPT OR  
10 MAINTAINED IN ACCORDANCE WITH THIS ARTICLE WITH RESPECT TO SUCH AN INDI-  
11 VIDUAL BE KEPT SEPARATE AND APART FROM OTHER REGISTRATION RECORDS AND  
12 NOT BE MADE AVAILABLE FOR INSPECTION OR COPYING BY THE PUBLIC OR ANY  
13 OTHER PERSON, EXCEPT ELECTION OFFICIALS ACTING WITHIN THE COURSE AND  
14 SCOPE OF THEIR OFFICIAL DUTIES AND ONLY AS PERTINENT AND NECESSARY IN  
15 CONNECTION THEREWITH.  
16     S 3. This act shall take effect on the one hundred twentieth day after  
17 it shall have become a law. Effective immediately, the addition, amend-  
18 ment and/or repeal of any rule or regulation necessary for the implemen-  
19 tation of this act on its effective date is authorized to be made on or  
20 before such date.

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

LBD01059-01-3