

8192--A

2013-2014 Regular Sessions

I N   A S S E M B L Y

October 4, 2013

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Introduced by M. of A. RYAN -- read once and referred to the Committee on Governmental Operations -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- 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 civil rights law, in relation to including probation officers with respect to the confidentiality of personnel records of police officers, firefighters and correction officers

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

1     Section 1. Subdivision 1 of section 50-a of the civil rights law, as  
2     amended by section 53 of subpart B of part C of chapter 62 of the laws  
3     of 2011, is amended to read as follows:  
4     1. All personnel records used to evaluate performance toward continued  
5     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 department  
12    or force of individuals employed as firefighters or  
13    firefighter/paramedics and such personnel records under the control of  
14    the department of corrections and community supervision for individuals  
15    defined as peace officers pursuant to subdivisions twenty-three and  
16    twenty-three-a of section 2.10 of the criminal procedure law AND SUCH  
17    PERSONNEL RECORDS UNDER THE CONTROL OF A PROBATION DEPARTMENT FOR INDI-  
18    VIDUALS DEFINED AS PEACE OFFICERS PURSUANT TO SUBDIVISION TWENTY-FOUR OF  
19    SECTION 2.10 OF THE CRIMINAL PROCEDURE LAW shall be considered confiden-  
20    tial and not subject to inspection or review without the express written

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

LBD11765-03-4

1 consent of such police officer, firefighter, firefighter/paramedic,  
2 correction officer or peace officer within the department of corrections  
3 and community supervision OR PROBATION DEPARTMENT except as may be  
4 mandated by lawful court order.

5 S 2. This act shall take effect immediately.