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

2131

2013-2014 Regular Sessions

I N S E N A T E

January 11, 2013

Introduced by Sen. BALL -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the public officers law, in relation to exempting the disclosure, under the freedom of information law, of the name of any police officer, peace officer, correction officer, or retired police officer, peace officer or correction officer issued a license to carry or possess a firearm

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

Section 1. Subparagraph iv of paragraph (g), and paragraphs (h), (i), (j), (k) and (l) of subdivision 2 of section 87 of the public officers law, subparagraph iv of paragraph (g) as added by chapter 510 of the laws of 1999, paragraph (h) as added by chapter 933 of the laws of 1977, paragraph (i) as amended by chapter 154 of the laws of 2010, paragraph (j) as added by chapter 746 of the laws of 1988, paragraph (k) as separately amended by chapters 19, 20, 21, 22, 23 and 383 of the laws of 2009, and paragraph (l) as added by section 12 of part II of chapter 59 of the laws of 2010, are amended and a new paragraph (m) is added to read as follows:

iv. external audits, including but not limited to audits performed by the comptroller and the federal government; [or]

(h) are examination questions or answers which are requested prior to the final administration of such questions[.];

(i) if disclosed, would jeopardize the capacity of an agency or an entity that has shared information with an agency to guarantee the security of its information technology assets, such assets encompassing both electronic information systems and infrastructures; [or]

(j) are photographs, microphotographs, videotape or other recorded images prepared under authority of section eleven hundred eleven-a of the vehicle and traffic law[.];

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

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(k) are photographs, microphotographs, videotape or other recorded images prepared under authority of section eleven hundred eleven-b of the vehicle and traffic law[.];

(l) are photographs, microphotographs, videotape or other recorded images produced by a bus lane photo device prepared under authority of section eleven hundred eleven-c of the vehicle and traffic law[.]; OR

(M) IS INFORMATION RELATED TO THE ISSUANCE, PURSUANT TO ARTICLE FOUR HUNDRED OF THE PENAL LAW, OF ANY LICENSE TO CARRY OR POSSESS FIREARMS WHEN SUCH LICENSE IS ISSUED TO A POLICE OFFICER, AS DEFINED IN SUBDIVISION THIRTY-FOUR OF SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW, A PEACE OFFICER, AS DEFINED IN ARTICLE TWO OF THE CRIMINAL PROCEDURE LAW, A CORRECTION OFFICER EMPLOYED BY THE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION OR A COUNTY OR CITY OPERATING A LOCAL CORRECTIONAL FACILITY, OR ANY PERSON RETIRED FROM ACTIVE SERVICE AS A POLICE OFFICER, PEACE OFFICER OR CORRECTION OFFICER; PROVIDED, HOWEVER, THAT NO PROVISION OF THIS PARAGRAPH SHALL BE DEEMED TO PROHIBIT THE DISCLOSURE OF SUCH INFORMATION TO A LAW ENFORCEMENT AGENCY FOR THE PURPOSE OF CONDUCTING AN INVESTIGATION OR PROSECUTION.

S 2. This act shall take effect immediately; provided, however, that the amendments to paragraphs (j), (k) and (l) of subdivision 2 of section 87 of the public officers law made by section one of this act shall not affect the repeal of such paragraphs and shall expire and be deemed repealed therewith.