

# STATE OF NEW YORK

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3335

2017-2018 Regular Sessions

## IN ASSEMBLY

January 27, 2017

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Introduced by M. of A. O'DONNELL, QUART, SIMON, GOTTFRIED -- read once  
and referred to the Committee on Governmental Operations

AN ACT to amend the civil rights law, in relation to personnel records  
of police officers, firefighters and correction officers

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Subdivision 1 of section 50-a of the civil rights law, as  
2 amended by chapter 516 of the laws of 2014, is amended to read as  
3 follows:

4 1. All personnel records created and used solely to evaluate perform-  
5 ance toward continued employment or promotion, under the control of any  
6 police agency or department of the state or any political subdivision  
7 thereof including authorities or agencies maintaining police forces of  
8 individuals defined as police officers in section 1.20 of the criminal  
9 procedure law and such personnel records under the control of a sher-  
10 iff's department or a department of correction of individuals employed  
11 as correction officers and such personnel records under the control of a  
12 paid fire department 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  
21 consent of such police officer, firefighter, firefighter/paramedic,  
22 correction officer or peace officer within the department of corrections  
23 and community supervision or probation department except as may be  
24 mandated by lawful court order.

25 § 2. This act shall take effect on the thirtieth day after it shall  
26 have become a law.

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

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