STATE OF NEW YORK

S. 4673 A. 6779

2019-2020 Regular Sessions

SENATE - ASSEMBLY

March 20, 2019

IN SENATE -- Introduced by Sen. BENJAMIN -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

IN ASSEMBLY -- Introduced by M. of A. RICHARDSON -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to establishing the offense of official misconduct by release of a sealed record

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

Section 1. The penal law is amended by adding a new section 195.01 to read as follows:

§ 195.01 Official misconduct by release of a sealed record.

A person is guilty of official misconduct by release of a sealed record when, being a person defined in or employed by an agency defined in subparagraph (i), (ii), (iii), (iv), (v) or (vi) of paragraph (d) of subdivision one of section 160.50, 160.55, 160.58 or 160.59 of the criminal procedure law, he or she intentionally releases, disseminates, publishes or otherwise shares a record that has been sealed pursuant to section 160.50, 160.55, 160.58 or 160.59 of the criminal procedure law, except as provided for in such sections.

Official misconduct by release of a sealed record is a class A misdemeanor.

§ 2. This act shall take effect immediately.

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

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