

# STATE OF NEW YORK

7578

2021-2022 Regular Sessions

## IN ASSEMBLY

May 14, 2021

Introduced by M. of A. PAULIN -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to authorizing the metropolitan transportation authority and its subsidiaries to fingerprint applicants for employment and to obtain criminal histories of such applicants

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

1 Section 1. Section 1266 of the public authorities law is amended by  
2 adding a new subdivision 19 to read as follows:

3 19. In connection with their lawful responsibilities or functions, the  
4 authority and its subsidiaries, including Metro-North Commuter Railroad,  
5 the Long Island Rail Road, MTA bus and the Staten Island rapid transit  
6 operating authority, the Triborough bridge and tunnel authority, and the  
7 New York city transit authority and its subsidiary the Manhattan and  
8 Bronx surface transit operating authority, may require applicants for  
9 safety sensitive positions and other positions where access to sensitive  
10 security, financial or personal information is required as a matter of  
11 business necessity to undergo a state and a national criminal history  
12 record check using fingerprinting. When required, the fingerprints of  
13 such applicants shall be submitted to the division of criminal justice  
14 services and such division shall be authorized to submit such finger-  
15 prints to the federal bureau of investigation, in accordance with appli-  
16 cable rules or regulations promulgated by such entities, in order to  
17 obtain relevant state criminal history record information, if any,  
18 concerning such applicants and for a national criminal history record  
19 check. The authority shall ensure that adequate notice be provided to  
20 such applicants regarding the fact that state and national criminal  
21 history record checks may be conducted. This provision shall not  
22 preclude or alter the process by which a municipal civil service commis-  
23 sion obtains and provides background information pursuant to subdivision

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

LBD11304-01-1

1 four of section fifty of the civil service law relating to applicants  
2 for civil service appointments at the New York city transit authority  
3 and the Triborough bridge and tunnel authority.  
4 § 2. This act shall take effect immediately.