STATE OF NEW YORK

4407

2023-2024 Regular Sessions

IN ASSEMBLY

February 14, 2023

Introduced by M. of A. WALLACE -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to authorizing police agencies to include administrative costs in fees for copies of police agency records

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

Section 1. The executive law is amended by adding a new section 837-x to read as follows:

§ 837-x. Fees for copies of police agency records. 1. Fees generally. Except as provided by law that no fee shall be charged, local police agencies may charge a fee for searching the police agency records, copying the resulting documents, and preparing such documents for mailing as provided in this section. Provided, however, that no fee shall be charged to any public officer, board, body, agency, or department or volunteer fire company, for searches or copies of documents to be used for a public purpose. Provided further, however, that no fee shall be charged to a victim of a crime, to an individual charged with a crime, or such person's attorney where the searches or copies of documents are related to the crime such person is a victim to or charged with.

2. Fees for searches of police agency records. (a) The fee for a search which is made manually by the police agency shall be five dollars per request.

(b) The fee for a search which is conducted by means of an electronic medium shall be three dollars per request.

3. Fees for copies of documents and preparation for mailing. The fees for copies of documents, other than accident reports, shall be one dollar per page. A page shall consist of either a single or double-side of any document. The fee for a copy of an accident report shall be fifteen dollars. All copies of documents shall be certified at no additional fee. Whenever a search of records of the police agency is

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

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required in conjunction with a copy of a document, the fee shall be the fee for the search as provided in subdivision two of this section. The result of such search will be the locating of the document, or if no document can be located, a certification to that effect will be the result of such search. The fee for the preparation for mailing, if necessary, shall be two dollars per request.

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