STATE OF NEW YORK

5343

2023-2024 Regular Sessions

IN ASSEMBLY

March 7, 2023

Introduced by M. of A. L. ROSENTHAL, RAMOS, SIMON, GALLAGHER -- read once and referred to the Committee on Codes

AN ACT to amend the executive law, in relation to the storage of evidence by law enforcement agencies

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. Law enforcement agencies; storage of evidence. 1. For purposes of this section, "law enforcement agency" means a police agency or department of the state or any political subdivision thereof, including authorities or agencies maintaining police forces of individuals defined as police officers in section 1.20 of the criminal procedure law, or a sheriff's department.

2. Every law enforcement agency shall be required to keep all physical or other evidence it maintains within a fireproof container or within a fireproof storage area. Such container or storage area shall be located within a state-of-the-art facility utilizing modern and advanced technology.

3. Prior to the storage of evidence within a fireproof container or storage area as required pursuant to subdivision two of this section, every law enforcement agency shall be required to photograph and document such evidence and to store such photographs and documentation in a separate location which is different from the location in which the evidence is being stored in a fireproof container or storage area.

§ 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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