STATE OF NEW YORK

5500--A

Cal. No. 332

2023-2024 Regular Sessions

IN SENATE

March 6, 2023

Introduced by Sens. SKOUFIS, GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- recommitted to the Committee on Investigations and Government Operations in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public officers law, in relation to the disclosure of public employee disciplinary records

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

Section 1. Section 87 of the public officers law is amended by adding a new subdivision 4-c to read as follows:

4-c. An agency responding to a request for public employee disciplinary records shall provide written notice of such request for records to any public employee whose personal information is the subject of such request and released pursuant thereto, within five business days of the release of such records.

§ 2. Section 86 of the public officers law is amended by adding two new subdivisions 12 and 13 to read as follows:

12. "Public employee" means any officer or employee of an agency, the state legislature, or the judiciary.

13. "Public employee disciplinary records" means any record created in furtherance of an employment-related disciplinary proceeding regarding a public employee, including, but not limited to:

(a) the complaints, allegations, and charges against such public employee;

(b) the name of such public employee complained of or charged;

(c) the transcript of any disciplinary trial or hearing, including any exhibits introduced at such trial or hearing;

(d) the disposition of any disciplinary proceeding; and

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

LBD10064-03-4

(e) the final written opinion or memorandum supporting the disposition and discipline imposed including the disciplinary body's complete factual findings and its analysis of the conduct and appropriate discipline of such public employee.

§ 3. This act shall take effect immediately.