

STATE OF NEW YORK

11199

IN ASSEMBLY

May 1, 2026

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

AN ACT to amend the executive law, in relation to enacting the "police radio transparency act"

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

1 Section 1. This act shall be known and may be cited as the "police
2 radio transparency act".

3 § 2. The executive law is amended by adding a new section 222-a to
4 read as follows:

5 § 222-a. Law enforcement radio communications transparency. 1. For
6 the purposes of this section, the following terms shall have the follow-
7 ing meanings:

8 (a) "Emergency services organization" shall have the same meaning as
9 set forth in section twenty of this chapter.

10 (b) "Encryption" shall mean the encoding of voice communication on an
11 analog or digitally modulated radio carrier, which renders the communi-
12 cation difficult or impossible to be monitored by commercially available
13 radio receivers or scanners.

14 (c) "Law enforcement agency" shall mean any agency or department of
15 any municipality, any police district, or any agency, department,
16 commission, authority or public benefit corporation of the state of New
17 York employing at least twenty-five police officers as that term is
18 defined in subdivision thirty-four of section 1.20 of the criminal
19 procedure law. "Law enforcement agency" shall not include the depart-
20 ment of corrections.

21 (d) "Professional journalist" shall have the same meaning as set forth
22 in subdivision six of section seventy-nine-h of the civil rights law.

23 (e) "Newscaster" shall have the same meaning as set forth in subdivi-
24 sion seven of section seventy-nine-h of the civil rights law.

25 (f) "Radio communications" shall mean communications that are broad-
26 cast over a radio frequency either from a dispatch center to police
27 officers, from police officers to a dispatch center, or between police
28 officers, and are accessible to all personnel monitoring that frequency.

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

LBD15666-01-6

1 "Radio communications" does not include private communications between
2 two devices, such as a cellular telephone, or the transmittal of data to
3 or from a mobile data terminal, tablet, text messaging device, or simi-
4 lar device.

5 (g) "Sensitive information" shall mean any portion of a radio communi-
6 cation that, if disclosed, would:

7 i. deprive a person of a right to a fair trial or impartial adjudi-
8 cation;

9 ii. identify a confidential source or disclose confidential informa-
10 tion relating to a criminal investigation;

11 iii. reveal criminal investigative techniques or procedures, except
12 routine techniques and procedures;

13 iv. reveal the location, activity or identity of undercover operations
14 or undercover personnel; or

15 v. reveal the location and movement of government officials that are
16 not otherwise made public.

17 2. Any law enforcement agency in the state that encrypts any portion
18 of its radio communications shall ensure that all of its radio communi-
19 cations, with the exception of sensitive information, may be monitored
20 in real time by professional journalists, newscasters, and individuals
21 employed by emergency services organizations.

22 3. The department of state, in consultation with the division of state
23 police, shall promulgate rules and regulations to establish a process by
24 which professional journalists, newscasters and individuals employed by
25 emergency services organizations may request the ability to monitor, in
26 real time, the radio communications of law enforcement agencies that
27 engage in encryption. Such rules and regulations shall also include a
28 process by which professional journalists, newscasters, and individuals
29 employed by emergency services organizations may present proof of
30 engagement in such professions. When promulgating such rules and regu-
31 lations, the department of state shall consider establishing processes
32 that are comparable to those established pursuant to section one hundred
33 forty-four-a of this chapter.

34 4. Nothing in this section shall be construed to prevent the city of
35 New York or any agency, official, or employee thereof, from taking any
36 action pursuant to local law number forty-six of the city of New York
37 for the year two thousand twenty-six.

38 § 3. This act shall take effect on the one hundred eightieth day after
39 it shall have become a law.