§ 845-c. Criminal history record searches; undisposed cases. 1. When, pursuant to statute or the regulations of the division, the division conducts a search of its criminal history records and returns a report thereon, all references to undisposed cases contained in such criminal history record shall be excluded from such report.

2. For purposes of this section, "undisposed case" shall mean a criminal action or proceeding identified in the division's criminal history record repository, for which there is no record of an unexecuted warrant of arrest, superior court warrant of arrest, or bench warrant, and for which no record of conviction or imposition of sentence or other final disposition, other than the issuance of an apparently unexecuted warrant, has been recorded and with respect to which no entry has been made in the division's criminal history records for a period of at least five years preceding the issuance of such report. When a criminal action in the division's criminal history record repository becomes an undisposed case pursuant to this section, and the action involves class A charges, charges under article one hundred twenty-five of the penal law, or felony charges under article one hundred thirty of the penal law, the division shall notify the district attorney in the county which has jurisdiction. If the district attorney notifies the division that such case is pending and should not meet the definition of an undisposed case, the case shall not be excluded from such report. If the division does not receive a response from the district attorney within six months of providing notice, the case shall be excluded from such report.

3. The provisions of subdivision one of this section shall not apply to criminal history record information: (a) provided by the division to qualified agencies pursuant to subdivision six of section eight hundred thirty-seven of this article, or to federal or state law enforcement agencies, for criminal justice purposes; (b) prepared solely for a bona fide research purpose; or (c) prepared for the internal record keeping or case management purposes of the division.