§ 319. Release of information resulting from insurers' investigation of fires. (a) In this section, "authorized law enforcement agency" means:

(1) any official of any agency authorized to investigate a fire at the place where the fire occurred;

(2) the district attorney responsible for the prosecution in the county where the fire occurred; and

(3) solely for the purpose of subsections (b) and (c) hereof, the Federal Bureau of Investigation or any other federal agency, and the United States attorney's office when authorized or charged with investigation or prosecution of the fire in question.

(b) Each insurer authorized to issue policies covering losses incurred to personal or real property through fire shall contact the appropriate authorized law enforcement agency and release information in its possession resulting from an investigation conducted by it pertaining to any such fire loss, should the insurer be of the opinion that the fire was caused by other than accidental means. The notification to a single authorized agency shall be sufficient for purposes of this section, provided, however, that in cities with a population over one million, notification to the appropriate fire protection agency shall be sufficient for the purposes of this section.

(c) Any authorized law enforcement agency may, in writing, require the insurer to release, to that agency, any relevant information or evidence deemed important to the authorized law enforcement agency that the insurer may have in its possession relating to the fire loss in question. Relevant information shall include, but shall not be limited to:

(1) pertinent insurance policy information relevant to a fire loss under investigation and any application for such a policy;

(2) policy premium payment records that are available;

(3) history of previous claims made by the insured; and

(4) material relating to the investigation of the loss, including statements of any person, proof of loss, and any other evidence relevant to the investigation.

(d) Any insurer providing information to an authorized law enforcement agency or agencies concerning a particular fire loss for which the insurer has provided information pursuant to this section shall have the

right to request relevant information and to receive within a reasonable time, not to exceed thirty days after the receipt of such request, the information requested, provided that the information is not subject to the provisions of paragraphs (a), (e) and (f) of subdivision two of section eighty-seven of the public officers law. This subsection shall confer no substantive or procedural rights on a defendant in a criminal action, proceeding or prosecution.

(e) The authorized agency provided with information pursuant to subsection (c) hereof, in furtherance of its own purposes, may release or provide such information to any other authorized law enforcement agency.

(f) Any information or evidence furnished pursuant to this section shall be held in confidence by the appropriate agency until such information is required to be released pursuant to a criminal proceeding, or if such agency shall be served a summons or subpoena to testify as to any information or evidence in its possession regarding such fire loss in any civil action where an insured or other person is seeking recovery under a policy against an insurer for fire damage to real or personal property.