



Legislation Text

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Int. No. 415

By Council Members Kallos, Koo, Mendez and Koslowitz (by request of the Manhattan Borough President)

A Local Law to amend the New York city charter, in relation to requiring that no videotape, or its contents, produced by an agency be destroyed or otherwise disposed of and that the head of each agency transmit to the municipal reference and research center such material in a timely manner.

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 1133 of the New York city charter is amended, and a new subdivision e is added to such section, to read as follows:

d. No videotape, or its contents, produced by or on behalf of any city agency, shall be destroyed or otherwise disposed of by any agency, officer, employee, or independent contractor of the city unless the contents of such videotape are transferred to an alternative video format. The head of each agency shall transmit to the department of records and information services at least one copy of each such videotape produced by or on behalf of such agency as soon as practicable after such videotape has been produced or distributed. This subdivision shall not apply to any videotape, or its contents, prepared by, or on behalf of, a law enforcement, investigatory, or prosecutorial agency.

e. Other materials not included within the definition of records in this charter may be destroyed, if not otherwise prohibited by law, at any time by the agency in possession of such materials without the approval of the commissioner of records and information services. Such commissioner may, however, formulate procedures and interpretations to guide in the disposition of such materials.

§2. Subdivision two of section 3011 of the New York city charter is amended to read as follows:

2. "Records" means any documents, books, papers, photographs, sound recordings, video recordings,

machine readable materials or any other materials, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official city business. Library and museum materials made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference and stocks of publications are not included within the definition of records as used in this chapter.

§3. This local law shall take effect thirty days after its enactment.

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