S T A T E O F N E W Y O R K

4469

2011-2012 Regular Sessions

I N S E N A T E

April 6, 2011

Introduced by Sen. NOZZOLIO -- (at request of the Office of Court Administration) -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to revocation of orders of recognizance

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 1 of section 530.60 of the criminal procedure law, as designated by chapter 788 of the laws of 1981, is amended to read as follows:

1. Whenever in the course of a criminal action or proceeding a defendant is at liberty as a result of an order of recognizance or bail issued pursuant to this [article] CHAPTER, and the court considers it necessary to review such order, it may, and by a bench warrant if necessary, require the defendant to appear before the court. Upon such appearance, the court, for good cause shown, may revoke the order of recognizance or bail. If the defendant is entitled to recognizance or bail as a matter of right, the court must issue another such order. If he OR SHE is not, the court may either issue such an order or commit the defendant to the custody of the sheriff. WHERE THE DEFENDANT IS COMMITTED TO THE CUSTODY OF THE SHERIFF AND IS HELD ON A FELONY COMPLAINT, A NEW PERIOD AS PROVIDED IN SECTION 180.80 OF THIS CHAPTER SHALL COMMENCE TO RUN FROM THE TIME OF THE DEFENDANT'S COMMITMENT UNDER THIS SUBDIVISION.

S 2. This act shall take effect on the thirtieth day after it shall have become law.

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

LBD09512-01-1