

1210

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. CARLUCCI -- 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 preparation and distribution of the notification form for victims of violent felony offenses regarding a name change petition by the defendant

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

1 Section 1. Subdivision 6 of section 380.50 of the criminal procedure
2 law, as amended by chapter 320 of the laws of 2006, is amended to read
3 as follows:
4 6. Regardless of whether the victim requests to make a statement with
5 regard to the defendant's sentence, where the defendant is sentenced for
6 a violent felony offense as defined in section 70.02 of the penal law or
7 a felony defined in article one hundred twenty-five of such law or any
8 of the following provisions of such law sections 130.25, 130.30, 130.40,
9 130.45, 255.25, 255.26, 255.27, article two hundred sixty-three, 135.10,
10 135.25, 230.05, 230.06, subdivision two of section 230.30 or 230.32, the
11 prosecutor shall, within sixty days of the imposition of sentence,
12 provide the victim with a form, PREPARED AND DISTRIBUTED BY THE COMMIS-
13 SIONER OF THE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION IN
14 CONSULTATION WITH THE DIRECTOR OF THE OFFICE OF VICTIM SERVICES, on
15 which the victim may indicate a demand to be informed of any petition to
16 change the name of such defendant. Such forms shall be maintained by
17 such prosecutor. Upon receipt of a notice of a petition to change the
18 name of any such defendant, pursuant to subdivision two of section
19 sixty-two of the civil rights law, the prosecutor shall promptly notify
20 the victim at the most current address or telephone number provided by
21 such victim in the most reasonable and expedient possible manner of the
22 time and place such petition will be presented to the court.
23 S 2. This act shall take effect on the thirtieth day after it shall
24 have become a law.

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

LBD05336-01-3