

5792

2015-2016 Regular Sessions

I N S E N A T E

June 3, 2015

Introduced by Sen. MARCHIONE -- 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 enabling the victim of a misdemeanor to make a statement at the sentencing of the defendant

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

1 Section 1. This act shall be known and may be cited as "Emma's Law".
2 S 2. Paragraph (b) of subdivision 2 of section 380.50 of the criminal
3 procedure law, as added by chapter 307 of the laws of 1992, is amended
4 to read as follows:
5 (b) If the defendant is being sentenced for a felony OR A MISDEMEANOR,
6 the court, if requested at least ten days prior to the sentencing date,
7 shall accord the victim the right to make a statement with regard to any
8 matter relevant to the question of sentence. The court shall notify the
9 defendant no less than seven days prior to sentencing of the victim's
10 intent to make a statement at sentencing. If the defendant does not
11 receive timely notice pursuant to this subdivision, the defendant may
12 request a reasonable adjournment.
13 S 3. This act shall take effect immediately.

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

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