

STATE OF NEW YORK

7413

IN SENATE

January 16, 2018

Introduced by Sen. FUNKE -- 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 requiring a denial of certain felony domestic violence or stalking bail applications

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The criminal procedure law is amended by adding a new
2 section 510.25 to read as follows:

3 § 510.25 Denial of recognizance or bail; where defendant is accused of
4 domestic violence or stalking with a prior conviction.

5 Any individual arrested for a felony offense relating to: (a) domestic
6 violence, as defined in article six-A of the social services law; or (b)
7 stalking, as defined as stalking in the fourth degree, as defined in
8 section 120.45 of the penal law; stalking in the third degree, as
9 defined in section 120.50 of the penal law; stalking in the second
10 degree, as defined in section 120.55 of the penal law; and stalking in
11 the first degree, as defined in section 120.60 of the penal law, and who
12 has previously been convicted of a felony domestic violence or stalking
13 offense shall not be released on recognizance or bail.

14 § 2. 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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