

# STATE OF NEW YORK

2424--A

2021-2022 Regular Sessions

## IN ASSEMBLY

January 19, 2021

Introduced by M. of A. SEAWRIGHT, DINOWITZ, GLICK -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the criminal procedure law, in relation to conducting hearings of a grand jury proceeding

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

Section 1. The criminal procedure law is amended by adding a new section 190.27 to read as follows:

§ 190.27 Hearing upon grand jury proceedings.

1. The appearance of any party and any witness at such hearing may be by electronic appearance through an independent audio-visual system, as such terms are defined in section 182.10 of this part.

2. At any such hearing, the jurors must be able to hear and see the image of each witness clearly through the independent audio-visual system and such sound and visual image shall be similar to the sound and image the juror would hear and see if the witness were present together with the juror testifying in the courtroom. Documents, photographs and the like offered at the hearing may be exchanged among the parties by electronic means. A stenographic transcription or appropriate audio recording of the proceedings shall be maintained, and the live testimony received by electronic appearance, and other electronic appearances where practicable, shall be video recorded.

3. The authority for an electronic appearance pursuant to this section shall be considered sufficient means to enable the court to conduct a hearing of a grand jury within the meaning of section 190.30 of this article.

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

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

LBD05666-02-1