

# STATE OF NEW YORK

578

2025-2026 Regular Sessions

## IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sen. HELMING -- 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 offenses for which a court may fix bail or commit a principal to custody of the sheriff

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

1 Section 1. Subdivision 1 of section 510.10 of the criminal procedure  
2 law is amended by adding a new paragraph (e-1) to read as follows:

3 (e-1) The principal has been designated a sex offender under arti-  
4 cle six-C of the correction law;

5 § 1-a. Subdivision 3 of section 510.10 of the criminal procedure law,  
6 as amended by section 2 of subpart A of part VV of chapter 56 of the  
7 laws of 2023, is amended to read as follows:

8 3. In cases other than as described in subdivision four of this  
9 section, the court shall release the principal pending trial on the  
10 principal's own recognizance, unless the court finds on the record or in  
11 writing that: (a) release on the principal's own recognizance will not  
12 reasonably assure the principal's return to court; or (b) that the prin-  
13 cipal has been designated as a sex offender under article six-C of the  
14 correction law. In such instances, the court shall release the principal  
15 under non-monetary conditions as provided for in subdivision three-a of  
16 section 500.10 of this title that will reasonably assure the principal's  
17 return to court; provided, however, where the principal has been desig-  
18 nated a sex offender under article six-C of the correction law, the  
19 court may in its discretion fix bail or commit the principal to the  
20 custody of the sheriff. The court shall explain its [~~choice of securing~~  
21 ~~order~~] determination and conditions on the record or in writing.

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

LBD01262-01-5

1 § 2. Paragraph (b) of subdivision 1 of section 530.20 of the criminal  
2 procedure law is amended by adding a new subparagraph (v-1) to read as  
3 follows:

4 (v-1) a sex offense under article six-C of the correction law and has  
5 been designated a sex offender;

6 § 3. Subdivision 4 of section 530.40 of the criminal procedure law is  
7 amended by adding a new paragraph (e-1) to read as follows:

8 (e-1) a sex offense under article six-C of the correction law and has  
9 been designated a sex offender;

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