

STATE OF NEW YORK

6492

2025-2026 Regular Sessions

IN SENATE

March 14, 2025

Introduced by Sen. MYRIE -- 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 making technical corrections to the clean slate law to correct issues relating to multicategory conviction dockets and the conviction-specific supervision prohibitor

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

1 Section 1. Paragraph (b) of subdivision 1 of section 160.57 of the
2 criminal procedure law, as added by chapter 631 of the laws of 2023, is
3 amended to read as follows:

4 (b) Criminal convictions shall be sealed upon satisfaction of the
5 following conditions:

6 (i) for a misdemeanor conviction, at least three years have passed
7 from the defendant's release from incarceration or the imposition of
8 sentence if there was no sentence of incarceration. If the defendant is
9 subsequently convicted of a crime before a prior conviction is sealed
10 pursuant to this section, the calculation of time for such prior
11 conviction shall start upon the same date as the time calculation starts
12 for the subsequent criminal conviction;

13 (ii) for a felony conviction, at least eight years have passed from
14 the date the defendant was last released from incarceration for the
15 sentence of the conviction eligible for sealing or from the imposition
16 of sentence if there was no sentence of incarceration. A defendant's
17 detention for an alleged violation of parole or post-release supervision
18 shall not interfere with the time calculation prescribed herein unless
19 and until supervision is revoked resulting in the defendant's reincar-
20 ceration. If the defendant is subsequently convicted of a crime before a
21 prior conviction is sealed pursuant to this section, the calculation of
22 time for such prior conviction shall start upon the same date as the
23 time calculation starts for the subsequent criminal conviction;

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

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1 (iii) for any convictions of infractions or noncriminal violations
2 from a docket or accusatory instrument from which other criminal
3 convictions also originated, all such other criminal convictions stem-
4 ming from such same docket or accusatory instrument have otherwise
5 become eligible for sealing pursuant to this section;

6 (iv) where all other criminal convictions stemming from the same dock-
7 et or accusatory instrument are also otherwise eligible for sealing
8 pursuant to this section;

9 (v) the defendant does not have a subsequent criminal charge pending
10 in this state;

11 [~~(iv)~~] (vi) the defendant is not currently under the supervision of
12 any probation or parole department [~~for the conviction eligible for~~
13 ~~sealing~~];

14 [~~(v)~~] (vii) the conviction is not for an offense defined as a sex
15 offense or sexually violent offense under section one hundred sixty-
16 eight-a of the correction law;

17 [~~(vi)~~] (viii) the conviction is not for a class A felony offense
18 defined in the penal law, other than class A felony offenses defined in
19 article two hundred twenty of the penal law;

20 [~~(vii)~~] (ix) the defendant is a natural person;

21 [~~(viii)~~] (x) the defendant does not have a subsequent felony charge
22 pending in another jurisdiction that is not a felony charge related to
23 reproductive or gender affirming care or the possession of cannabis
24 which would not constitute a felony in New York. This subparagraph shall
25 apply if and when appropriate federal authorities grant access to
26 records necessary to query to effectuate the purposes of this subpara-
27 graph in an automated manner; and

28 [~~(ix)~~] (xi) the defendant does not have a subsequent felony conviction
29 in another jurisdiction in the preceding eight years that is not a felo-
30 ny conviction related to reproductive or gender affirming care or the
31 possession of cannabis which would not constitute a felony in New York.
32 This subparagraph shall apply if and when appropriate federal authori-
33 ties grant access to records necessary to query to effectuate the
34 purposes of this subparagraph in an automated manner.

35 § 2. This act shall take effect immediately.