S T A T E O F N E W Y O R K

2244

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. SCHROEDER -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to warrant of arrest

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

Section 1. Subdivision 2 of section 120.30 of the criminal procedure law is amended to read as follows:

2. The particular local criminal court or courts with which any particular local criminal court accusatory instrument may be filed for the purpose of obtaining a warrant of arrest are determined, generally, by the provisions of section 100.55. If, however, a particular accusatory instrument may pursuant to said section 100.55 be filed with a particular town OR CITY court and such town OR CITY court is not available at the time such instrument is sought to be filed and a warrant obtained, such accusatory instrument may be filed with the town OR CITY court of any adjoining town OR CITY of the same county. If such instrument may be filed pursuant to said section 100.55 with a particular village court and such village court is not available at the time, it may be filed with the town OR CITY court of the town OR CITY embracing such village, or if such town OR CITY court is not available either, with the town OR CITY court of any adjoining town OR CITY of the same county.

S 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

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

LBD03275-01-9