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

3833

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

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

AN ACT to amend the criminal procedure law, in relation to authorizing the chief counsel of the temporary state commission of investigation to apply for a court order authorizing the use of a pen register or a trap and trace device

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

Section 1. Subdivision 3 of section 705.00 of the criminal procedure law, as added by chapter 744 of the laws of 1988, is amended to read as follows:

3. "Applicant" means a district attorney, an assistant district attorney, THE CHIEF COUNSEL OF THE TEMPORARY STATE COMMISSION OF INVESTIGATION, and when empowered by law to conduct an investigation of or to prosecute or participate in the prosecution of a designated crime, the attorney general, an assistant attorney general, the deputy attorney general in charge of the statewide organized crime task force, or an assistant deputy attorney general of such task force.

S 2. This act shall take effect immediately.

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

LBD05885-01-9