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

4996

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

Introduced by M. of A. ESPAILLAT, SCHIMMINGER, HOOPER, ROBINSON, PEOPLES, KOON, ZEBROWSKI, LAVINE, SCARBOROUGH, COOK -- Multi-Sponsored by -- M. of A. ALFANO, BARRA, BENJAMIN, BRENNAN, DIAZ, ERRIGO, McENENY, PHEFFER, N. RIVERA, WALKER, WRIGHT -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to expanding protections and procedures for victims of family offenses

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

Section 1. The opening paragraph of subdivision 1 of section 530.12 of the criminal procedure law, as amended by chapter 137 of the laws of 2007, is amended to read as follows:

When a criminal action is pending involving a complaint charging any crime or violation between spouses, former spouses, parent and child, or between members of the same family or household, as members of the same family or household are defined in subdivision one of section 530.11 of this article, the court, in addition to any other powers conferred upon it by this chapter may issue a temporary order of protection in conjunction with any securing order committing the defendant to the custody of the sheriff or as a condition of any order of recognizance or bail or an adjournment in contemplation of dismissal. In addition to any other conditions, such an order may require the defendant OR A THIRD PARTY ACTING WITH MALICE ON BEHALF OF ANY SUCH DEFENDANT:

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.

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