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

5430

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

Introduced by M. of A. ERRIGO, CROUCH, FINCH -- Multi-Sponsored by -- M. of A. WALKER -- read once and referred to the Committee on Judiciary

AN ACT to amend the family court act, in relation to executions of warrants issued as a result of a petition for violation of probation

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

Section 1. Subdivision 3 of section 360.2 of the family court act, as added by chapter 920 of the laws of 1982, is amended to read as follows:

3. The court must promptly take reasonable and appropriate action to cause the respondent to appear before it for the purpose of enabling the court to make a determination with respect to the alleged violation. Such action may include the issuance of a summons under section 312.1 or the issuance of a warrant under section 312.2. A PROBATION OFFICER IS AUTHORIZED TO EXECUTE SUCH WARRANT AND TAKE THE ALLEGED VIOLATOR IMMEDIATELY TO THE FAMILY COURT OR IF THE FAMILY COURT IS NOT IN SESSION TO THE APPROPRIATE DETENTION FACILITY.

S 2. This act shall take effect immediately.

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

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