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

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827

2009-2010 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 7, 2009
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Introduced by M. of A. DelMONTE -- read once and referred to the Commit-
   tee on Codes

AN ACT to amend the criminal procedure law, in relation to the denial of
   bail for persons charged with driving while intoxicated in certain
   instances

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

 1   Section 1. Paragraph (a) of subdivision 2 of section 530.20 of the
 2 criminal procedure law, as amended by chapter 531 of the laws of 1975,
 3 is amended to read as follows:
 4   (a)   A city court, a town court or a village court may not order
 5 recognizance or bail when (i) the defendant is charged with a class A
 6 felony, [or] (ii) it appears that the defendant has two previous felony
 7 convictions OR (III) THE DEFENDANT IS CHARGED WITH A VIOLATION OF
 8 SECTION 125.12 OF THE PENAL LAW;
 9   S 2. This act shall take effect on the first of November next succeed-
10 ing the date on which it shall have become a law.