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

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2009-2010 Regular Sessions

I N A S S E M B L Y

October 28, 2009

Introduced by M. of A. MENG, REILLY, HOYT, WEISENBERG, BOYLAND, MAISEL, CHRISTENSEN, TITONE, PHEFFER, GUNTHER, SPANO, GIBSON, CYMBROWITZ, CASTRO, COOK, ESPAILLAT, STIRPE, TITUS, N. RIVERA, HYER-SPENCER, ROSENTHAL, JAFFEE, ARROYO, JEFFRIES, GALEF, HOOPER, J. RIVERA -- Multi-Sponsored by -- M. of A. ABBATE, AUBRY, CRESPO, DelMONTE, GLICK, JOHN, LANCMAN, MARKEY, MAYERSOHN -- read once and referred to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law and the executive law, in relation to cases involving hate crimes

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

Section 1. Section 485.10 of the penal law is amended by adding a new subdivision 5 to read as follows:

5. IN ADDITION TO ANY OF THE DISPOSITIONS AUTHORIZED BY THIS CHAPTER, THE COURT MAY REQUIRE AS PART OF THE SENTENCE IMPOSED UPON A PERSON CONVICTED OF A HATE CRIME PURSUANT TO THIS ARTICLE, THAT THE DEFENDANT COMPLETE A PROGRAM, TRAINING SESSION OR COUNSELING SESSION DIRECTED AT HATE CRIME PREVENTION AND EDUCATION, WHERE THE COURT DETERMINES SUCH PROGRAM, TRAINING SESSION OR COUNSELING SESSION IS APPROPRIATE, AVAILABLE AND WAS DEVELOPED OR AUTHORIZED BY THE COURT OR LOCAL AGENCIES IN COOPERATION WITH ORGANIZATIONS SERVING THE AFFECTED COMMUNITY.

S 2. Subdivision 7 of section 837-a of the executive law, as added by chapter 1 of the laws of 1995, is amended to read as follows:

7. Contract with an organization having substantial knowledge and experience in the prosecution of serious criminal matters for the development and provision of continuing legal education, training, advice and assistance for prosecutors in the prosecution of capital cases AND HATE CRIMES.

S 3. This act shall take effect on the first of November next succeeding the date upon 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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