

2104

2009-2010 Regular Sessions

I N S E N A T E

February 11, 2009

Introduced by Sens. GOLDEN, ALESI, O. JOHNSON, LANZA, MORAHAN, PADAVAN, ROBACH, VOLKER -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the civil rights law, in relation to prohibiting certain felons from changing their names

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

1 Section 1. Section 60 of the civil rights law, as amended by chapter
2 695 of the laws of 1962, is amended to read as follows:
3 S 60. Petition for change of name; EXCEPTION. 1. A petition for leave
4 to assume another name may be made by a resident of the state to the
5 county court of the county or the supreme court in the county in which
6 he OR SHE resides, or, if he OR SHE resides in the city of New York,
7 either to the supreme court or to any branch of the civil court of the
8 city of New York, in any county of the city of New York. The petition to
9 change the name of an infant may be made by the infant through his OR
10 HER next friend, or by either of his OR HER parents, or by his OR HER
11 general guardian, or by the guardian of his OR HER person.
12 2. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION TWO OF SECTION
13 SIXTY-ONE OF THIS ARTICLE, ON AND AFTER THE EFFECTIVE DATE OF THIS
14 SUBDIVISION NO PETITION MAY BE MADE TO CHANGE THE NAME OF ANY PERSON WHO
15 HAS BEEN CONVICTED (REGARDLESS OF WHEN SUCH CONVICTION WAS ENTERED) OF A
16 VIOLENT FELONY OFFENSE AS DEFINED IN SECTION 70.02 OF THE PENAL LAW OR A
17 FELONY DEFINED IN ARTICLE ONE HUNDRED TWENTY-FIVE OF SUCH LAW OR ANY OF
18 THE FOLLOWING PROVISIONS OF SUCH LAW: SECTION 130.25, 130.30, 130.40,
19 130.45, 255.25, 255.26, ARTICLE TWO HUNDRED SIXTY-THREE, SECTION 135.10,
20 230.05, 230.06, SUBDIVISION TWO OF SECTION 230.30, OR SECTION 230.32,
21 AND WHO IS CURRENTLY CONFINED AS AN INMATE IN ANY CORRECTIONAL FACILITY
22 OR CURRENTLY UNDER THE SUPERVISION OF THE STATE DIVISION OF PAROLE OR A
23 COUNTY PROBATION DEPARTMENT AS A RESULT OF SUCH CONVICTION.
24 S 2. This act shall take effect immediately.

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

LBD02237-01-9