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

2326

2009-2010 Regular Sessions

I N  S E N A T E

February 18, 2009

Introduced by Sen. PADAVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to permitting appeals of bail decisions by the district attorney

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

Section 1. Section 530.30 of the criminal procedure law is amended by adding a new subdivision 2-a to read as follows:

2-A. IN ANY CASE WHERE A CRIMINAL ACTION IS PENDING IN A LOCAL CRIMINAL COURT OR A SUPERIOR COURT, THE DISTRICT ATTORNEY UPON MOTION TO THE APPELLATE DIVISION OF THE DEPARTMENT IN WHICH THE ACTION IS PENDING MAY SEEK AN ORDER TO FIX BAIL IN A MORE APPROPRIATE AMOUNT WHENEVER HE DETERMINES THAT THE AMOUNT OF THE BAIL AS FIXED IS UNREASONABLY INADEQUATE OR UNDULY DISPROPORTIONATE BASED ON ALL THE CIRCUMSTANCES.

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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