

4045

2009-2010 Regular Sessions

I N S E N A T E

April 8, 2009

Introduced by Sens. SQUADRON, C. JOHNSON -- 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 fingerprinting persons arrested for or charged with violations of certain local laws governing food and general vending

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

1 Section 1. Subdivision 1 of section 160.10 of the criminal procedure
2 law, as amended by chapter 762 of the laws of 1971, paragraph (d) as
3 amended and paragraph (e) as added by chapter 344 of the laws of 1976,
4 is amended to read as follows:
5 1. Following an arrest, or following the arraignment upon a local
6 criminal court accusatory instrument of a defendant whose court attend-
7 ance has been secured by a summons or an appearance ticket under circum-
8 stances described in sections 130.60 and 150.70 OF THIS TITLE, the
9 arresting or other appropriate police officer or agency must take or
10 cause to be taken fingerprints of the arrested person or defendant if an
11 offense which is the subject of the arrest or which is charged in the
12 accusatory instrument filed is:
13 (a) A felony; or
14 (b) A misdemeanor defined in the penal law; or
15 (c) A misdemeanor defined outside the penal law which would consti-
16 tute a felony if such person had a previous judgment of conviction for a
17 crime; or
18 (d) Loitering, as defined in subdivision three of section 240.35 of
19 the penal law; or
20 (e) Loitering for the purpose of engaging in a prostitution offense
21 as defined in subdivision two of section 240.37 of the penal law; OR
22 (F) A VIOLATION OF SECTION 17-307, 17-315, 20-453 OR 20-465 OF THE
23 ADMINISTRATIVE CODE OF THE CITY OF NEW YORK.
24 S 2. This act shall take effect on the ninetieth day after it shall
25 have become a law.

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

LBD10580-01-9