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I N S E N A T E

April 23, 2010

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

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:

- 1 Section 1. Section 485.10 of the penal law is amended by adding a new
2 subdivision 5 to read as follows:
3 5. IN ADDITION TO ANY OF THE DISPOSITIONS AUTHORIZED BY THIS CHAPTER,
4 THE COURT MAY REQUIRE AS PART OF THE SENTENCE IMPOSED UPON A PERSON
5 CONVICTED OF A HATE CRIME PURSUANT TO THIS ARTICLE, THAT THE DEFENDANT
6 COMPLETE A PROGRAM, TRAINING SESSION OR COUNSELING SESSION DIRECTED AT
7 HATE CRIME PREVENTION AND EDUCATION, WHERE THE COURT DETERMINES SUCH
8 PROGRAM, TRAINING SESSION OR COUNSELING SESSION IS APPROPRIATE, AVAIL-
9 ABLE AND WAS DEVELOPED OR AUTHORIZED BY THE COURT OR LOCAL AGENCIES IN
10 COOPERATION WITH ORGANIZATIONS SERVING THE AFFECTED COMMUNITY.
11 S 2. Subdivision 7 of section 837-a of the executive law, as added by
12 chapter 1 of the laws of 1995, is amended to read as follows:
13 7. Contract with an organization having substantial knowledge and
14 experience in the prosecution of serious criminal matters for the devel-
15 opment and provision of continuing legal education, training, advice and
16 assistance for prosecutors in the prosecution of capital cases AND HATE
17 CRIMES.
18 S 3. This act shall take effect on the first of November next succeed-
19 ing 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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