

2599

2009-2010 Regular Sessions

I N   A S S E M B L Y

January 21, 2009

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Introduced by M. of A. ORTIZ, TOBACCO, FIELDS, KOON, GALEF, SCHIMEL,  
GABRYSZAK, MAISEL, ENGLEBRIGHT -- Multi-Sponsored by -- M. of A. HOOP-  
ER, HYER-SPENCER, MAYERSOHN, McDONOUGH, ROBINSON, SWEENEY, WEISENBERG  
-- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to requiring  
certain individuals to wear electronic monitoring devices

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

1     Section 1. The criminal procedure law is amended by adding a new  
2     section 530.15 to read as follows:  
3     S 530.15 WEARING OF ELECTRONIC TAGGING DEVICES.  
4     1. ANY PERSON AGAINST WHOM AN ORDER OF PROTECTION IS ISSUED PURSUANT  
5     TO THIS ARTICLE SHALL BE REQUIRED TO WEAR AN ELECTRONIC MONITORING  
6     DEVICE. FOR PURPOSES OF THIS SECTION, AN ELECTRONIC MONITORING DEVICE  
7     MEANS A DEVICE, WORN BY AN INDIVIDUAL, THAT TRANSMITS A SIGNAL AND  
8     ENABLES ANOTHER PERSON OR ENTITY TO MONITOR, TRACK, AND/OR PINPOINT THE  
9     LOCATION OF THE INDIVIDUAL WEARING THE DEVICE THROUGH THE RECEPTION OF  
10    THAT SIGNAL.  
11    2. AN INDIVIDUAL MAY NOT TAMPER WITH HIS OR HER ELECTRONIC MONITORING  
12    DEVICE IN ANY WAY, NOR MAY THEY ALLOW ANOTHER PERSON TO TAMPER WITH SUCH  
13    DEVICE. A PERSON WHO IS CAUGHT TAMPERING WITH AN ELECTRONIC MONITORING  
14    DEVICE SHALL BE GUILTY OF A CLASS E FELONY.  
15    S 2. This act shall take effect immediately and shall apply to any  
16    person against whom an order of protection has been issued on or after  
17    the effective date of this act.

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

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