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

3514

2009-2010 Regular Sessions

I N A S S E M B L Y

January 27, 2009

Introduced by M. of A. GIANARIS, DelMONTE, GALEF, ESPAILLAT, POWELL, KOON -- Multi-Sponsored by -- M. of A. HOOPER, JOHN, PHEFFER, N. RIVERA -- read once and referred to the Committee on Judiciary

AN ACT to amend the civil practice law and rules, in relation to the cost of transcripts

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

Section 1. The civil practice law and rules is amended by adding a new section 8301-a to read as follows:

S 8301-A. STENOGRAPHIC TRANSCRIPT. UPON FORMAL REQUEST FROM FAMILIES' SURVIVORS OF HOMICIDE VICTIMS, THE COURT CLERK, AFTER THE CONCLUSION OF A TRIAL FOR THE CRIME OF MURDER OR HOMICIDE AS DEFINED IN THE PENAL LAW, SHALL SO NOTIFY THE COURT STENOGRAPHER, WHO, WITHIN A PERIOD OF NINETY DAYS OF SUCH NOTIFICATION SHALL MAKE A COPY USING AVAILABLE TECHNOLOGY SUCH AS XEROX OR A SCANNER OF THE TRANSCRIPT OF THE STENOGRAPHIC MINUTES OF SAID TRIAL OR HEARING, AND SHALL DELIVER SAID TRANSCRIPT TO THE VICTIM'S SURVIVORS OR THEIR ATTORNEY, AND FILE WITH THE COURT CLERK AN AFFIDAVIT OF THE FACT AND DATE OF SUCH DELIVERY AND FILING. THE EXPENSE OF SUCH TRANSCRIPT SHALL BE A COUNTY CHARGE OR, IN THE COUNTIES WITHIN THE CITY OF NEW YORK, A CITY CHARGE, AS THE CASE MAY BE, PAYABLE TO THE STENOGRAPHER OUT OF THE COURT FUND UPON THE CERTIFICATE OF THE JUDGE PRESIDING AT THE TRIAL OR HEARING.

S 2. This act shall take effect immediately.

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

LBD05527-01-9