

4331

2009-2010 Regular Sessions

I N   A S S E M B L Y

February 3, 2009

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Introduced by M. of A. KOON, PEOPLES -- Multi-Sponsored by -- M. of A. COOK, DINOWITZ, GALEF, HOOPER, JOHN, LAVINE, MAYERSOHN, ROBINSON -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to electronic court appearance statewide

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

1     Section 1. Subdivision 1 of section 182.20 of the criminal procedure  
2 law, as amended by chapter 317 of the laws of 2008, is amended to read  
3 as follows:  
4     1. Notwithstanding any other provision of law and except as provided  
5 in section 182.30 of this article, the court, in its discretion, may  
6 dispense with the personal appearance of the defendant, except an  
7 appearance at a hearing or trial, and conduct an electronic appearance  
8 in connection with a criminal action [pending in Albany, Bronx, Broome,  
9 Erie, Kings, New York, Niagara, Oneida, Onondaga, Ontario, Orange,  
10 Queens, Richmond, St. Lawrence, Tompkins, Chautauqua, Cattaraugus, Clin-  
11 ton, Essex, Montgomery, Rensselaer, Warren, Westchester, Suffolk,  
12 Herkimer or Franklin county], provided that the chief administrator of  
13 the courts has authorized the use of electronic appearance and the  
14 defendant, after consultation with counsel, consents on the record. Such  
15 consent shall be required at the commencement of each electronic appear-  
16 ance to such electronic appearance.  
17     S 2. This act shall take effect immediately, provided, however, that  
18 the amendment to subdivision 1 of section 182.20 of the criminal proce-  
19 dure law made by section one of this act shall not affect the repeal of  
20 such section and shall be deemed repealed therewith.

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

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