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

6356

2009-2010 Regular Sessions

I N A S S E M B L Y

March 2, 2009

Introduced by M. of A. MILLER, TOWNSEND -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to prohibiting the entry of a plea of guilty conditioned upon an agreement to submit to testing to detect exposure to the human immunodeficiency virus (HIV) and any other causative agent of acquired immune deficiency syndrome (AIDS)

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

Section 1. Subdivision 5 of section 220.10 of the criminal procedure law is amended by adding a new paragraph (i) to read as follows:

(I) A DEFENDANT MAY NOT ENTER A PLEA OF GUILTY PURSUANT TO SUBDIVISION THREE OR FOUR OF THIS SECTION IF SUCH A PLEA IS ENTERED UPON THE CONDITION THAT THE DEFENDANT SHALL BE TESTED FOR EVIDENCE OF EXPOSURE TO THE HUMAN IMMUNODEFICIENCY VIRUS OR ANY OTHER IDENTIFIED CAUSATIVE AGENT OF ACQUIRED IMMUNE DEFICIENCY SYNDROME.

S 2. This act shall take effect on the first of November next succeeding the date on 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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