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

6746

2009-2010 Regular Sessions

I N A S S E M B L Y

March 12, 2009

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

AN ACT to amend the criminal procedure law, in relation to an application for recognizance or bail of an illegal alien

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

Section 1. Section 510.20 of the criminal procedure law is amended by adding a new subdivision 3 to read as follows:

3. IF THE COURT IS ADVISED OR HAS REASON TO BELIEVE THAT THE PRINCIPAL IS AN ILLEGAL ALIEN, THE HEARING REFERRED TO IN SUBDIVISION TWO OF THIS SECTION SHALL BE HELD NO SOONER THAN SEVENTY-TWO HOURS OR WITHIN A REASONABLE PERIOD THEREAFTER FROM THE TIME OF THE MAKING OF THE APPLICATION REFERRED TO IN THIS SECTION. NOTIFICATION OF SAID HEARING SHALL BE GIVEN TO THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY.

S 2. This act shall take effect immediately.

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

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