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

827

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

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

AN ACT to amend the criminal procedure law, in relation to the denial of bail for persons charged with driving while intoxicated in certain instances

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

Section 1. Paragraph (a) of subdivision 2 of section 530.20 of the criminal procedure law, as amended by chapter 531 of the laws of 1975, is amended to read as follows:

(a) A city court, a town court or a village court may not order recognizance or bail when (i) the defendant is charged with a class A felony, [or] (ii) it appears that the defendant has two previous felony convictions OR (III) THE DEFENDANT IS CHARGED WITH A VIOLATION OF SECTION 125.12 OF THE PENAL LAW;

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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