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

7927

I N S E N A T E

May 24, 2010

Introduced by Sen. ESPADA -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to providing that any district attorney who knowingly solicits, accepts or receives any gift, service, hospitality, thing or promise, campaign donation, or anything else of value, under any circumstance from a criminal defendant, is guilty of a misdemeanor

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

Section 1. The election law is amended by adding a new section 17-163 to read as follows:

S 17-163. MISDEMEANOR CONCERNING DISTRICT ATTORNEY SOLICITATION, ACCEPTANCE OR RECEIPT OF GIFTS. ANY DISTRICT ATTORNEY WHO KNOWINGLY SOLICITS, ACCEPTS OR RECEIVES ANY GIFT, SERVICE, LOAN, TRAVEL ENTERTAINMENT, HOSPITALITY, THING OR PROMISE, CAMPAIGN DONATION, OR ANYTHING ELSE OF VALUE, UNDER ANY CIRCUMSTANCE FROM A CRIMINAL DEFENDANT, THE DEFENDANT'S ATTORNEY, OR THE FAMILY, EMPLOYEES, OR BUSINESS PARTNERS OF THE DEFENDANT'S ATTORNEY, WHILE PROSECUTION OF THE DEFENDANT IS PENDING, IS GUILTY OF A MISDEMEANOR.

S 2. This act shall take effect immediately.

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

LBD15800-03-0