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

6739

2011-2012 Regular Sessions

I N  A S S E M B L Y

March 28, 2011

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

AN ACT to amend the criminal procedure law, in relation to limiting plea bargains for individuals charged with sex offenses committed against children

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) WHERE THE INDICTMENT CHARGES A FELONY CONTAINED IN ARTICLE ONE HUNDRED THIRTY OR ARTICLE TWO HUNDRED SIXTY-THREE OF THE PENAL LAW AND SUCH OFFENSE HAS BEEN COMMITTED AGAINST A CHILD, OR ANY OTHER FELONY DEFINED AS A "SEX OFFENSE" IN SECTION ONE HUNDRED SIXTY-EIGHT-A OF THE CORRECTION LAW WHERE SUCH OFFENSE HAS BEEN COMMITTED AGAINST A CHILD, THE DISTRICT ATTORNEY SHALL NOT BE AUTHORIZED TO ACCEPT ANY PLEA OF GUILTY TO A LESSER INCLUDED CHARGE WHERE SUCH CHARGE IS NOT A SEX OFFENSE.

S 2. This act shall take effect on the one hundred eightieth day after 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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