

6019

I N S E N A T E

(PREFILED)

January 4, 2012

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

AN ACT to amend the criminal procedure law, in relation to electronic court appearance statewide

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

1 Section 1. Subdivision 1 of section 182.20 of the criminal procedure
2 law, as amended by chapter 332 of the laws of 2009, is amended to read
3 as follows:
4 1. Notwithstanding any other provision of law and except as provided
5 in section 182.30 of this article, the court, in its discretion, may
6 dispense with the personal appearance of the defendant, except an
7 appearance at a hearing or trial, and conduct an electronic appearance
8 in connection with a criminal action [pending in Albany, Bronx, Broome,
9 Erie, Kings, New York, Niagara, Oneida, Onondaga, Ontario, Orange,
10 Putnam, Queens, Richmond, St. Lawrence, Tompkins, Chautauqua, Cattaraugus,
11 Clinton, Essex, Montgomery, Rensselaer, Warren, Westchester,
12 Suffolk, Herkimer or Franklin county], provided that the chief administrator of the courts has authorized the use of electronic appearance and
13 the defendant, after consultation with counsel, consents on the record.
14 Such consent shall be required at the commencement of each electronic
15 appearance to such electronic appearance.
16
17 S 2. This act shall take effect immediately, provided, however, that
18 the amendment to subdivision 1 of section 182.20 of the criminal procedure law made by section one of this act shall not affect the repeal of
19 such section and shall be deemed repealed therewith.
20

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

LBD04159-01-1