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I N  S E N A T E

March 8, 2012

Introduced by Sen. SALAND -- (at request of the Office of Court Administration) -- 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 the issuance of a supporting deposition

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

Section 1. Subdivisions 3 and 4 of section 100.25 of the criminal procedure law are renumbered subdivisions 4 and 5 and a new subdivision 3 is added to read as follows:

3. A DEFENDANT CHARGED BY A SIMPLIFIED INFORMATION MAY BE SERVED BY THE COMPLAINANT POLICE OFFICER OR PUBLIC SERVANT WITH A SUPPORTING DEPOSITION AT OR ABOUT THE TIME OF ISSUANCE OF THE SIMPLIFIED INFORMATION. THE PROOF OF SERVICE OF SUCH SUPPORTING DEPOSITION SHALL BE BY AN ATTESTATION UPON A COPY OF THE DEPOSITION TO BE FILED WITH THE COURT TOGETHER WITH A FORM WARNING PURSUANT TO PARAGRAPH (D) OF SUBDIVISION ONE OF SECTION 100.30 OF THIS ARTICLE.

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall apply to all actions and proceedings commenced on or after such effective date.

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

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