

6676

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 unsealing criminal records involving orders of protection

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

1 Section 1. Subparagraph (i) of paragraph (d) of subdivision 1 of
2 section 160.50 of the criminal procedure law, as amended by section 73
3 of subpart B of part C of chapter 62 of the laws of 2011, is amended to
4 read as follows:
5 (i) a prosecutor in any proceeding (A) in which the accused has moved
6 for an order pursuant to section 170.56 or 210.46 of this chapter, or
7 (B) WHERE THE RECORDS CONSIST OF AN ORDER OF PROTECTION AND THE PROSECU-
8 TOR DEMONSTRATES TO THE SATISFACTION OF THE COURT THAT THE RECORDS ARE
9 NECESSARY TO THE PROSECUTION OF THE ACCUSED FOR VIOLATING OR ATTEMPTING
10 TO VIOLATE SUBDIVISION THREE OF SECTION 215.50, SECTION 215.51 OR 215.52
11 OF THE PENAL LAW, OR
12 S 2. This act shall take effect immediately, and shall apply to all
13 criminal actions commenced on or after such effective date.

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

LBD14170-01-2