

3421

2011-2012 Regular Sessions

I N A S S E M B L Y

January 25, 2011

Introduced by M. of A. TITUS, O'DONNELL, CLARK, COOK, SCARBOROUGH,
WRIGHT -- Multi-Sponsored by -- M. of A. CAHILL, COLTON, GOTTFRIED,
HEASTIE, JAFFEE, JOHNS, NOLAN -- read once and referred to the Commit-
tee on Codes

AN ACT to amend the criminal procedure law, in relation to search
warrant applications

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

1 Section 1. Paragraph (e) of subdivision 3 of section 690.35 of the
2 criminal procedure law, as added by chapter 504 of the laws of 1991,
3 such subdivision as renumbered by chapter 815 of the laws of 1992, is
4 amended and a new paragraph (f) is added to read as follows:
5 (e) In the case of an application for a search warrant as defined in
6 paragraph (b) of subdivision two of section 690.05, a copy of the
7 warrant of arrest and the underlying accusatory instrument[.]; AND
8 (F) A FULL DISCLOSURE OF ALL PRIOR DENIALS OF THE SAME OR A SIMILAR
9 APPLICATION, AS WELL AS ANY PRIOR FAILURE TO ISSUE A SEARCH WARRANT
10 BASED ON THE SAME OR A SIMILAR APPLICATION, BY A DIFFERENT JUDGE, IF
11 KNOWN TO THE APPLICANT.
12 S 2. This act shall take effect immediately.

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

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