

3421

2013-2014 Regular Sessions

I N   A S S E M B L Y

January 25, 2013

---

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.

LBD01721-01-3