

1913

2013-2014 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 9, 2013

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Introduced by M. of A. ORTIZ, GALEF, SCHIMEL, GABRYSZAK, MAISEL, ENGLE-  
BRIGHT, BOYLAND, RIVERA, CASTRO, HOOPER, JAFFEE, MILLER -- Multi-Spon-  
sored by -- M. of A. HEASTIE, MARKEY, McDONOUGH, MILLMAN, PERRY,  
ROBINSON, SCARBOROUGH, SWEENEY, WEISENBERG -- read once and referred  
to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to requiring  
certain individuals to wear electronic monitoring devices

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

1     Section 1. The criminal procedure law is amended by adding a new  
2     section 530.15 to read as follows:  
3     S 530.15 WEARING OF ELECTRONIC TAGGING DEVICES.  
4     1. ANY PERSON AGAINST WHOM AN ORDER OF PROTECTION IS ISSUED PURSUANT  
5     TO THIS ARTICLE SHALL BE REQUIRED TO WEAR AN ELECTRONIC MONITORING  
6     DEVICE. FOR PURPOSES OF THIS SECTION, "ELECTRONIC MONITORING DEVICE"  
7     MEANS A DEVICE, WORN BY AN INDIVIDUAL, THAT TRANSMITS A SIGNAL AND  
8     ENABLES ANOTHER PERSON OR ENTITY TO MONITOR, TRACK AND/OR PINPOINT THE  
9     LOCATION OF THE INDIVIDUAL WEARING THE DEVICE THROUGH THE RECEPTION OF  
10    THAT SIGNAL.  
11    2. AN INDIVIDUAL SHALL NOT TAMPER WITH HIS OR HER ELECTRONIC MONITOR-  
12    ING DEVICE IN ANY WAY, NOR MAY THEY ALLOW ANOTHER PERSON TO TAMPER WITH  
13    SUCH DEVICE. ANY PERSON WHO TAMPERS WITH AN ELECTRONIC MONITORING DEVICE  
14    SHALL BE GUILTY OF A CLASS E FELONY.  
15    S 2. This act shall take effect immediately and shall apply to any  
16    person against whom an order of protection has been issued on or after  
17    the effective date of this act.

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

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