S T A T E O F N E W Y O R K

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 Committee 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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph (e) of subdivision 3 of section 690.35 of the criminal procedure law, as added by chapter 504 of the laws of 1991, such subdivision as renumbered by chapter 815 of the laws of 1992, is amended and a new paragraph (f) is added to read as follows:

(e) In the case of an application for a search warrant as defined in paragraph (b) of subdivision two of section 690.05, a copy of the warrant of arrest and the underlying accusatory instrument[.]; AND

(F) A FULL DISCLOSURE OF ALL PRIOR DENIALS OF THE SAME OR A SIMILAR APPLICATION, AS WELL AS ANY PRIOR FAILURE TO ISSUE A SEARCH WARRANT BASED ON THE SAME OR A SIMILAR APPLICATION, BY A DIFFERENT JUDGE, IF KNOWN TO THE APPLICANT.

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