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

5653

2013-2014 Regular Sessions

I N S E N A T E

May 31, 2013

Introduced by COMMITTEE ON RULES -- (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 criminal appeals

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

Section 1. Subdivision 1 of section 470.15 of the criminal procedure law is amended to read as follows:

1. Upon an appeal to an intermediate appellate court from a judgment, sentence or order of a criminal court, such intermediate appellate court may consider and determine any question of law or issue of fact involving error or defect in the criminal court proceedings which may have adversely affected the appellant, AND ANY QUESTION OF LAW OR ISSUE OF FACT RAISED ON APPEAL THAT WAS PRESENTED TO OR CONSIDERED BY THE CRIMINAL COURT, AND WHICH COULD RESULT IN AN IDENTICAL OR MODIFIED RULING AGAINST THE APPELLANT.

S 2. This act shall take effect immediately, and shall apply to all criminal actions pending on or after such date.

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

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