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

4516

2015-2016 Regular Sessions

I N A S S E M B L Y

February 3, 2015

Introduced by M. of A. CLARK, GUNTHER, JAFFEE, FINCH, SIMOTAS, WEPRIN, SCARBOROUGH, ROBERTS, ZEBROWSKI, MOSLEY, SKOUFIS, SCHIMEL -- Multi-Sponsored by -- M. of A. CROUCH, FAHY, LUPINACCI, MAGEE, ROBINSON, SIMANOWITZ, TITONE -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to providing that persons arrested for domestic violence shall forfeit bail when violating an order of protection

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

Section 1. The criminal procedure law is amended by adding a new section 510.25 to read as follows:

S 510.25 FORFEITURE OF BAIL; WHERE PERSONS ARRESTED FOR DOMESTIC VIOLENCE VIOLATE EXISTING ORDERS OF PROTECTION.

ANY INDIVIDUAL ARRESTED FOR AN OFFENSE RELATING TO DOMESTIC VIOLENCE, AS DEFINED IN SECTION FOUR HUNDRED FIFTY-NINE-A OF THE SOCIAL SERVICES LAW, WHO VIOLATES AN EXISTING ORDER OF PROTECTION ISSUED PURSUANT TO THE FOLLOWING PROVISIONS OF LAW: SUBDIVISION ONE OF SECTION 530.11, SUBPARAGRAPH (I) OR (II) OF PARAGRAPH (O) OF SUBDIVISION ONE OF SECTION 330.20, SECTION 530.12 OF THIS CHAPTER, ORDERS ISSUED PURSUANT TO SECTIONS TWO HUNDRED FORTY AND TWO HUNDRED FIFTY-TWO OF THE DOMESTIC RELATIONS LAW, ARTICLES FOUR, FIVE, SIX AND EIGHT OF THE FAMILY COURT ACT, AND AN ORDER OF PROTECTION ISSUED BY COURTS OF COMPETENT JURISDICTION IN ANOTHER STATE, TERRITORIAL OR TRIBAL JURISDICTION, SHALL FORFEIT ANY BAIL SUCH INDIVIDUAL HAS POSTED.

2. This act shall take effect immediately.

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

LBD07864-01-5