

STATE OF NEW YORK

2616

2017-2018 Regular Sessions

IN ASSEMBLY

January 20, 2017

Introduced by M. of A. STECK -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to appellate processes for misdemeanor cases where a term of imprisonment is imposed

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 3 of section 450.60 of the criminal procedure
2 law is amended to read as follows:

3 3. An appeal from a judgment, sentence or order of a local criminal
4 court located outside of New York City must, except as otherwise
5 provided in this subdivision, be taken to the county court of the county
6 in which such judgment, sentence or order was entered. Provided, howev-
7 er, that, in the event such appeal is taken from a sentence of imprison-
8 ment, such appeal must be taken to the appellate division of the depart-
9 ment in which such judgment, sentence or order was entered.

10 [~~If the appellate division of the second, third or fourth department~~
11 ~~has established an appellate term of the supreme court for its depart-~~
12 ~~ment, it may direct that appeals from such judgments, sentences and~~
13 ~~orders of such local criminal courts, or of particular classifications~~
14 ~~of such local criminal courts, be taken to such appellate term of the~~
15 ~~supreme court instead of to the county court, and in such case such an~~
16 ~~appeal must be so taken.]~~

17 § 2. This act shall take effect on the one hundred eightieth day
18 after it shall have become a law.

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

LBD07658-01-7