STATE OF NEW YORK

5066

2017-2018 Regular Sessions

IN ASSEMBLY

February 6, 2017

Introduced by M. of A. O'DONNELL, WEPRIN, SEPULVEDA -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to youthful offender procedure and accusatory instruments

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

Section 1. Subdivision 3 of section 720.15 of the criminal procedure law, as amended by chapter 774 of the laws of 1985, is amended to read as follows:

3. [~~The provisions of subdivisions one and two of this section requiring or authorizing the accusatory instrument filed against a youth to be sealed, and the arraignment and all proceedings in the action to be conducted in private shall not apply in connection with a pending charge of committing any felony offense as defined in the penal law.~~] The provisions of subdivision one requiring the accusatory instrument filed against a youth to be sealed shall not apply where such youth has previously been adjudicated a youthful offender **for a felony offense** or convicted of a crime.

§ 2. This act shall take effect immediately and shall apply to all accusatory instruments filed on or after such effective date.

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

LBD09392-01-7