

# STATE OF NEW YORK

8687

2017-2018 Regular Sessions

## IN ASSEMBLY

September 25, 2017

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

AN ACT to amend the criminal procedure law, in relation to appearance tickets issued for a traffic infraction relating to parking

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

1 Section 1. Subdivision 1 of section 1.20 of the criminal procedure  
2 law, as amended by chapter 209 of the laws of 1990, is amended to read  
3 as follows:

4 1. "Accusatory instrument" means an indictment, an indictment ordered  
5 reduced pursuant to subdivision one-a of section 210.20 of this chapter,  
6 an appearance ticket issued for a traffic infraction relating to park-  
7 ing, an information, a simplified information, a prosecutor's informa-  
8 tion, a superior court information, a misdemeanor complaint or a felony  
9 complaint. Every accusatory instrument, regardless of the person desig-  
10 nated therein as accuser, constitutes an accusation on behalf of the  
11 state as plaintiff and must be entitled "the people of the state of New  
12 York" against a designated person, known as the defendant.

13 § 2. Subdivision 1 of section 150.50 of the criminal procedure law, as  
14 amended by chapter 549 of the laws of 1987, is amended to read as  
15 follows:

16 1. A police officer or other public servant who has issued and served  
17 an appearance ticket must, at or before the time such appearance ticket  
18 is returnable, file or cause to be filed with the local criminal court  
19 in which it is returnable a local criminal court accusatory instrument  
20 charging the person named in such appearance ticket with the offense  
21 specified therein; provided, however, that no separate accusatory  
22 instrument shall be required to be filed for an appearance ticket issued  
23 for a traffic infraction relating to parking. Nothing herein contained  
24 shall authorize the use of a simplified information when not authorized  
25 by law.

26 § 3. This act shall take effect immediately.

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

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