# STATE OF NEW YORK

1896

2019-2020 Regular Sessions

# IN SENATE

January 17, 2019

Introduced by Sen. GALLIVAN -- 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 negotiated sentence of imprisonment

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

Section 1. Subdivision 5 of section 390.20 of the criminal procedure law, as added by chapter 556 of the laws of 2013, is amended to read as follows:

5. Negotiated sentence of imprisonment. [~~In any city having a population of one million or more and notwithstanding~~] Notwithstanding the provisions of subdivision one or two of this section, a pre-sentence investigation and written report thereon shall not be required where a negotiated sentence of imprisonment for a term of three hundred sixty-five days or less has been mutually agreed upon by the parties with consent of the judge, as a result of a conviction or revocation of a sentence of probation.

§ 2. 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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