STATE OF NEW YORK

1270

2019-2020 Regular Sessions

IN SENATE

January 11, 2019

Introduced by Sen. FUNKE -- 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 requiring a denial of certain felony domestic violence or stalking bail applications

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:

§ 510.25 Denial of recognizance or bail; where defendant is accused of domestic violence or stalking with a prior conviction.

Any individual arrested for a felony offense relating to: (a) domestic violence, as defined in article six-A of the social services law; or (b) stalking, as defined as stalking in the fourth degree, as defined in section 120.45 of the penal law; stalking in the third degree, as defined in section 120.50 of the penal law; stalking in the second degree, as defined in section 120.55 of the penal law; and stalking in the first degree, as defined in section 120.60 of the penal law, and who has previously been convicted of a felony domestic violence or stalking offense shall not be released on recognizance or bail.

§ 2. This act shall take effect immediately.

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

LBD07184-01-9