STATE OF NEW YORK

6928

2019-2020 Regular Sessions

IN SENATE

December 27, 2019

Introduced by Sen. GAUGHRAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the criminal procedure law, in relation to the nondisclosure of an individual reporting a violation of a local law or ordinance

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

Section 1. Paragraph (c) of subdivision 1 of section 245.20 of the criminal procedure law, as added by section 2 of part LLL of chapter 59 of the laws of 2019, is amended to read as follows:

(c) The names and adequate contact information for all persons other than law enforcement personnel whom the prosecutor knows to have evidence or information relevant to any offense charged or to any potential defense thereto, including a designation by the prosecutor as to which of those persons may be called as witnesses**; provided, however, nothing in this paragraph shall require the disclosure of the name or contact information for any individual reporting a violation of a local law or ordinance**. Nothing in this paragraph shall require the disclosure of physical addresses; provided, however, upon a motion and good cause shown the court may direct the disclosure of a physical address. Information under this subdivision relating to a confidential informant may be withheld, and redacted from discovery materials, without need for a motion pursuant to section 245.70 of this article; but the prosecution shall notify the defendant in writing that such information has not been disclosed, unless the court rules otherwise for good cause shown.

§ 2. This act shall take effect immediately; provided, however that if section 2 of part LLL of chapter 59 of the laws of 2019 shall not have taken effect on or before such date, then section one of this act shall take effect on the same date and in the same manner as such section 2 of part LLL of chapter 59 of the laws of 2019, takes effect.

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

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