STATE OF NEW YORK

1181

2021-2022 Regular Sessions

IN SENATE

January 7, 2021

Introduced by Sens. BENJAMIN, LIU -- 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 vacating certain records for misdemeanor marihuana convictions

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

Section 1. Subparagraph (i) of paragraph (k) of subdivision 3 of section 160.50 of the criminal procedure law, as amended by chapter 132 of the laws of 2019, is amended to read as follows:

(i) The conviction was for a violation of article two hundred twenty or section 240.36 of the penal law prior to the effective date of article two hundred twenty-one of the penal law, and the sole controlled substance involved was marihuana and the conviction was only for a [~~violation or violations~~] misdemeanor and/or violation; or

§ 2. This act shall take effect immediately, provided, however, that the expungement of marihuana convictions under section 160.50 of the criminal procedure law, added by the amendment in section one of this act, shall occur promptly and in any event no later than one year after the effective date of this act.

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

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