

# STATE OF NEW YORK

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1181

2021-2022 Regular Sessions

## IN SENATE

January 7, 2021

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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 Assem-  
bly, do enact as follows:

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

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

9 § 2. This act shall take effect immediately, provided, however, that  
10 the expungement of marihuana convictions under section 160.50 of the  
11 criminal procedure law, added by the amendment in section one of this  
12 act, shall occur promptly and in any event no later than one year after  
13 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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