STATE OF NEW YORK

1408

2021-2022 Regular Sessions

IN SENATE

January 11, 2021

Introduced by Sens. GIANARIS, HOYLMAN, KENNEDY, SALAZAR, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the criminal procedure law and the civil practice law and rules, in relation to enacting the "New York no citizen is above the law act"

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

Section 1. Short title. This act shall be known and may be cited as the "New York no citizen is above the law act".

§ 2. Subdivision 4 of section 30.10 of the criminal procedure law is amended by adding a new paragraph (c) to read as follows:

(c) Any period following the commission of the offense during which the defendant was holding the office of president of the United States.

§ 3. The civil practice law and rules is amended by adding a new section 207-a to read as follows:

§ 207-a. Certain defendants. When a defendant is holding the office of president of the United States, whether the cause of action accrued during or prior to the commencement of such period in office, the time that elapses between the commencement of the period of the holding of such office and the termination of the period of the holding of such office is not a part of the time within which the action must be commenced.

§ 4. This act shall take effect immediately provided, however, that section two of this act shall apply to all criminal actions for which such statute of limitations has not expired before such date and section three of this act shall apply to all civil court actions commenced on, before and after such effective date.

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

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