

STATE OF NEW YORK

6161

2021-2022 Regular Sessions

IN SENATE

April 12, 2021

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the county law and the executive law, in relation to creating an appeals process for the district attorney

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

1 Section 1. Section 700 of the county law is amended by adding a new
2 subdivision 14 to read as follows:

3 14. Notwithstanding any other provision of law to the contrary, upon
4 the release of a person by the parole board, a victim, family members of
5 a victim or persons residing in the same county where such released
6 person committed the offense, may appeal such release to the district
7 attorney in the county where the crime was committed to request a
8 reversal of the release decision. This subdivision shall only apply to
9 persons released by the board that have served a sentence for an offense
10 defined in section 125.20, 125.25, 130.25, 130.30, or 130.35 of the
11 penal law, or is a level three sex offender as determined by the divi-
12 sion of criminal justice services. For purposes of this subdivision,
13 "family member" shall mean a husband, wife, father, mother, daughter,
14 son, brother, sister, stepparent, grandparent, stepchild, or grandchild.

15 § 2. Section 259-c of the executive law is amended by adding a new
16 subdivision 18 to read as follows:

17 18. assist local district attorney offices with the appeal process
18 established under subdivision fourteen of section seven hundred of the
19 county law.

20 § 3. This act shall take effect on the one hundred eightieth day after
21 it shall have become a law.

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

LBD06704-01-1