

STATE OF NEW YORK

1328

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

Introduced by M. of A. BLANKENBUSH, BRABENEC, McDONOUGH, MILLER, TAGUE
-- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to the use of
video monitoring equipment to conduct arraignments

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

1 Section 1. Subdivision 1 of section 182.20 of the criminal procedure
2 law, as separately amended by chapters 242, 246, 252, 254, 321 and 351
3 of the laws of 2022, is amended to read as follows:

4 1. Notwithstanding any other provision of law and except as provided
5 in section 182.30 of this article, the court, in its discretion, may
6 dispense with the personal appearance of the defendant, except an
7 appearance at a hearing or trial, and conduct an electronic appearance
8 in connection with a criminal action pending in [~~Albany, Bronx, Broome,~~
9 ~~Erie, Kings, New York, Niagara, Oneida, Onondaga, Ontario, Orange,~~
10 ~~Putnam, Queens, Richmond, Rockland, Saratoga, St. Lawrence, Seneca,~~
11 ~~Steuben, Tompkins, Chautauqua, Cattaraugus, Clinton, Essex, Montgomery,~~
12 ~~Rensselaer, Sullivan, Warren, Westchester, Suffolk, Herkimer, Franklin,~~
13 ~~Chemung, Schuyler, or Yates] any county, provided that the chief admin-
14 istrator of the courts has authorized the use of electronic appearance
15 and the defendant, after consultation with counsel, consents on the
16 record. Such consent shall be required at the commencement of each elec-
17 tronic appearance to such electronic appearance.~~

18 § 2. This act shall take effect immediately; provided that the amend-
19 ments to subdivision 1 of section 182.20 of the criminal procedure law
20 made by section one of this act shall not affect the repeal of such
21 section and shall be deemed repealed therewith.

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

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