

STATE OF NEW YORK

4729

2023-2024 Regular Sessions

IN ASSEMBLY

February 23, 2023

Introduced by M. of A. LAVINE -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to the authority to remand a principal charged with certain felony offenses involving the possession of firearms or weapons

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

1 Section 1. Paragraph (u) of subdivision 4 of section 510.10 of the
2 criminal procedure law, as added by section 2 of subpart B of part UU of
3 chapter 56 of the laws of 2022, is amended to read as follows:

4 (u) any felony offense involving criminal possession of a firearm or
5 criminal possession of a weapon in [~~the third degree as defined in~~
6 ~~subdivision three of section 265.02~~] violation of article two hundred
7 sixty-five of the penal law [~~or criminal sale of a firearm to a minor as~~
8 ~~defined in section 265.16 of the penal law~~].

9 § 2. Subparagraph (xxi) of paragraph (b) of subdivision 1 of section
10 530.20 of the criminal procedure law, as added by section 4 of subpart C
11 of part UU of chapter 56 of the laws of 2022, is amended to read as
12 follows:

13 (xxi) any felony offense involving criminal possession of a firearm or
14 criminal possession of a weapon in [~~the third degree as defined in~~
15 ~~subdivision three of section 265.02~~] violation of article two hundred
16 sixty-five of the penal law [~~or criminal sale of a firearm to a minor as~~
17 ~~defined in section 265.16 of the penal law~~].

18 § 3. Paragraph (u) of subdivision 4 of section 530.40 of the criminal
19 procedure law, as added by section 4 of subpart B of part UU of chapter
20 56 of the laws of 2022, is amended to read as follows:

21 (u) any felony offense involving criminal possession of a firearm or
22 criminal possession of a weapon [~~in the third degree as defined in~~
23 ~~subdivision three of section 265.02~~] in violation of article two hundred

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

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1 ~~sixty-five~~ of the penal law [~~or criminal sale of a firearm to a minor as~~
2 ~~defined in section 265.16 of the penal law~~].
3 § 4. This act shall take effect immediately.