

STATE OF NEW YORK

5288

2023-2024 Regular Sessions

IN ASSEMBLY

March 7, 2023

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

AN ACT to amend the criminal procedure law, in relation to permitting the electronic appearance of a defendant in the county of Orleans

The People of the State of New York, represented in Senate and Assembly, 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, Orle-
10 ans, 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 county, provided that the chief administra-
14 tor of the courts has authorized the use of electronic appearance and
15 the defendant, after consultation with counsel, consents on the record.
16 Such consent shall be required at the commencement of each electronic
17 appearance to such electronic appearance.

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21 such section and shall be deemed repealed therewith.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