STATE OF NEW YORK

4320

2023-2024 Regular Sessions

IN SENATE

February 7, 2023

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

AN ACT to amend the criminal procedure law, in relation to requiring certain individuals to wear electronic monitoring devices

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

Section 1. The criminal procedure law is amended by adding a new section 530.15 to read as follows:

§ 530.15 Wearing of electronic tagging devices.

1. Any person against whom an order of protection is issued pursuant to this article shall be required to wear an electronic monitoring device. For purposes of this section, "electronic monitoring device" means a device, worn by an individual, that transmits a signal and enables another person or entity to monitor, track and/or pinpoint the location of the individual wearing the device through the reception of that signal.

2. An individual shall not tamper with his or her electronic monitoring device in any way, nor may they allow another person to tamper with such device. Any person who tampers with an electronic monitoring device shall be guilty of a class E felony.

§ 2. This act shall take effect immediately and shall apply to any person against whom an order of protection has been issued on or after the effective date of this act.

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

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