

STATE OF NEW YORK

4384

2023-2024 Regular Sessions

IN SENATE

February 8, 2023

Introduced by Sen. WALCZYK -- 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 permitting the electronic appearance of a defendant in the county of Jefferson

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, Jefferson, Kings, New York, Niagara, Oneida, Onondaga, Ontario,
10 Orange, Putnam, Queens, Richmond, Rockland, Saratoga, St. Lawrence,
11 Seneca, Steuben, Tompkins, Chautauqua, Cattaraugus, Clinton, Essex,
12 Montgomery, Rensselaer, Sullivan, Warren, Westchester, Suffolk, Herkim-
13 er, Franklin, Chemung, Schuyler, or Yates county, provided that the
14 chief administrator of the courts has authorized the use of electronic
15 appearance and the defendant, after consultation with counsel, consents
16 on the record. Such consent shall be required at the commencement of
17 each electronic appearance to such electronic appearance.

18 § 2. This act shall take effect immediately, provided, however, the
19 amendments to subdivision 1 of section 182.20 of the criminal procedure
20 law 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21 section and shall be deemed repealed therewith.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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