STATE OF NEW YORK

4397

2023-2024 Regular Sessions

IN SENATE

February 8, 2023

Introduced by Sen. HOYLMAN-SIGAL -- 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 authorizing the chief administrator of the courts to require and provide at least three hours of annual training regarding bail, recognizance, and commitment procedures and standards

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

Section 1. The section heading of section 10.40 of the criminal procedure law, as amended by chapter 237 of the laws of 2015, is amended and new subdivision 1-a is added to read as follows:

Chief administrator to prescribe forms**, to require training** and to authorize use of electronic filing.

1-a. The chief administrator of the courts shall have the power and responsibility to require and provide at least three hours of annual training regarding bail, recognizance, and commitment procedures and standards for all judges exercising preliminary jurisdiction over any offense. Such training shall include a thorough explanation of relevant and recent statutory changes to this chapter.

§ 2. Section 10.40 of the criminal procedure law, as amended by chapter 102 of the laws of 2020, is amended to read as follows:

§ 10.40 Chief administrator to prescribe forms **and to require training**.

1. The chief administrator of the courts shall have the power to adopt, amend and rescind forms for the efficient and just administration of this chapter. Such forms shall include, without limitation, the forms described in paragraph (z-1) of subdivision two of section two hundred twelve of the judiciary law. A failure by any party to submit papers in compliance with forms authorized by this section shall not be grounds for that reason alone for denial or granting of any motion.

2. The chief administrator of the courts shall have the power and responsibility to require and provide at least three hours of annual

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

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training regarding bail, recognizance, and commitment procedures and standards for all judges exercising preliminary jurisdiction over any offense. Such training shall include a thorough explanation of relevant and recent statutory changes to this chapter.

§ 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law; provided however, that the amendments to section 10.40 of the criminal procedure law made by section one of this act shall be subject to the expiration and reversion of such section pursuant to section 11 of chapter 237 of the laws of 2015, as amended, when upon such date the provisions of section two of this act shall take effect.