

# STATE OF NEW YORK

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8778

## IN SENATE

March 11, 2024

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Introduced by Sens. CANZONERI-FITZPATRICK, MARTINS, MATTERA, MURRAY,  
PALUMBO, RHOADS -- 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 the custody  
of a defendant subject to electronic location monitoring

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

1 Section 1. The closing paragraph of subdivision 4 of section 510.40 of  
2 the criminal procedure law, as added by section 6 of part JJJ of chapter  
3 59 of the laws of 2019, is amended to read as follows:

4 A defendant subject to electronic location monitoring under this  
5 subdivision shall not be considered held or confined in custody for  
6 purposes of section 180.80 of this chapter and shall not be considered  
7 committed to the custody of the sheriff for purposes of section 170.70  
8 of [~~the~~] this chapter, as applicable.

9 § 2. This act shall take effect immediately.

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

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