STATE OF NEW YORK

10147

IN ASSEMBLY

May 10, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. K. Brown) -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to changing the timing of certain discovery requirements to sixty days prior to trial

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

Section 1. Paragraphs (i) and (ii) of paragraph (a) of subdivision 1 of section 245.10 of the criminal procedure law, as amended by section 1 of part HHH of chapter 56 of the laws of 2020, are amended to read as follows:

(i) When a defendant is in custody during the pendency of the criminal case, the prosecution shall perform its initial discovery obligations [~~within twenty calendar days after the defendant's arraignment on an indictment, superior court information, prosecutor's information, information, simplified information, misdemeanor complaint or felony complaint~~] **no later than sixty days before the first scheduled trial date**.

(ii) When the defendant is not in custody during the pendency of the criminal case, the prosecution shall perform its initial discovery obligations [~~within thirty-five calendar days after the defendant's arraignment on an indictment, superior court information, prosecutor's information, information, simplified information, misdemeanor complaint or felony complaint~~] **no later than sixty days before the first scheduled trial date**.

§ 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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