STATE OF NEW YORK

9719

IN ASSEMBLY

April 3, 2024

Introduced by M. of A. MCGOWAN -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to providing for automatic remand of persons charged with an offense involving the use or possession of an illegal firearm

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

Section 1. This act shall be known and may be cited as "Diller's law".

§ 2. Section 530.20 of the criminal procedure law is amended by adding a new subdivision 3 to read as follows:

3. The court shall commit the defendant to the custody of the sheriff when:

(a) the defendant is charged, by felony complaint, with an offense under article two hundred sixty-five of the penal law or any other offense under the penal law involving the use or possession of a firearm; and

(b) the firearm used or possessed during the commission of the offense is not legally registered, licensed or possessed in accordance with section 400.00 of the penal law.

§ 3. This act shall take effect on the first of November next succeeding the date on which it shall have become a law and shall apply to offenses charged on or after such date.

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

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