STATE OF NEW YORK

4768

2023-2024 Regular Sessions

IN SENATE

February 14, 2023

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the county law and the executive law, in relation to creating an appeals process for the district attorney

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

Section 1. Section 700 of the county law is amended by adding a new subdivision 14 to read as follows:

14. Notwithstanding any other provision of law to the contrary, upon the release of a person by the parole board, a victim, family members of a victim or persons residing in the same county where such released person committed the offense, may appeal such release to the district attorney in the county where the crime was committed to request a reversal of the release decision. This subdivision shall only apply to persons released by the board that have served a sentence for an offense defined in section 125.20, 125.25, 130.25, 130.30, or 130.35 of the penal law, or is a level three sex offender as determined by the division of criminal justice services. For purposes of this subdivision, "family member" shall mean a husband, wife, father, mother, daughter, son, brother, sister, stepparent, grandparent, stepchild, or grandchild.

§ 2. Section 259-c of the executive law is amended by adding a new subdivision 18 to read as follows:

18. assist local district attorney offices with the appeal process established under subdivision fourteen of section seven hundred of the county law.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

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