# STATE OF NEW YORK

8778

# IN SENATE

March 11, 2024

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 Assembly, do enact as follows:**

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

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

§ 2. This act shall take effect immediately.

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

LBD14839-01-4