

# STATE OF NEW YORK

2138

2025-2026 Regular Sessions

## IN ASSEMBLY

January 15, 2025

Introduced by M. of A. WOERNER, BUTTENSCHON, COLTON, STERN, HEVESI, JACOBSON, SEAWRIGHT, PHEFFER AMATO, DeSTEFANO, SMULLEN, HAWLEY, ANGELINO, GIGLIO, K. BROWN, DURSO, KELLES, BENDETT, MANKTELOW, JENSEN -- Multi-Sponsored by -- M. of A. SIMON -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to victim statements at the sentencing of a defendant for a misdemeanor

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

- 1 Section 1. Paragraph (b) of subdivision 2 of section 380.50 of the  
2 criminal procedure law, as added by chapter 307 of the laws of 1992, is  
3 amended to read as follows:  
4 (b) If the defendant is being sentenced for (1) a felony, or (2) a  
5 misdemeanor to which the defendant pled guilty after being  
6 charged with a felony offense pursuant to the vehicle and traffic law in  
7 an indictment or information in superior court where such felony offense  
8 resulted in serious physical injury to the victim, then the court, if  
9 requested at least ten days prior to the sentencing date, shall accord  
10 the victim the right to make a statement with regard to any matter rele-  
11 vant to the question of sentence. The court shall notify the defendant  
12 no less than seven days prior to sentencing of the victim's intent to  
13 make a statement at sentencing. If the defendant does not receive timely  
14 notice pursuant to this subdivision, the defendant may request a reason-  
15 able adjournment.  
16 § 2. This act shall take effect immediately.

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

LBD01551-02-5