STATE OF NEW YORK

5251

2025-2026 Regular Sessions

IN ASSEMBLY

February 12, 2025

Introduced by M. of A. DURSO -- read once and referred 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.

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