

# STATE OF NEW YORK

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6343

2025-2026 Regular Sessions

## IN ASSEMBLY

March 4, 2025

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Introduced by M. of A. BUTTENSCHON, JONES, STERN, WOERNER, PHEFFER AMATO  
-- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to allowing the courts to consider a principal's threat to public safety when determining bail

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

1 Section 1. The opening paragraph of subdivision 1 of section 510.10 of  
2 the criminal procedure law, as amended by section 2 of subpart A of part  
3 VV of chapter 56 of the laws of 2023, is amended to read as follows:

4 When a principal, whose future court attendance at a criminal action  
5 or proceeding is or may be required, comes under the control of a court,  
6 such court shall impose a securing order in accordance with this title.  
7 Except as otherwise required by law, the court shall make an individual-  
8 ized determination as to whether the principal poses a risk of flight to  
9 avoid prosecution or whether such principal poses a physical danger to  
10 the safety of any crime victim, person, or the community, consider the  
11 kind and degree of control or restriction necessary to reasonably assure  
12 the principal's return to court, and select a securing order consistent  
13 with its determination under this subdivision. The court shall explain  
14 the basis for its determination and its choice of securing order on the  
15 record or in writing. In making a determination under this subdivision,  
16 the court must consider and take into account available information  
17 about the principal, including:

18 § 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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