STATE OF NEW YORK

7896

2025-2026 Regular Sessions

IN ASSEMBLY

April 11, 2025

Introduced by M. of A. BORES -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to business records in grand jury proceedings

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

Section 1. Paragraph (a) of subdivision 8 of section 190.30 of the criminal procedure law, as added by chapter 279 of the laws of 2008, is amended to read as follows:

(a) A business record **as defined in rule forty-five hundred eighteen of the civil practice law and rules generated by a business entity** may be received in such grand jury proceedings as evidence [~~of the following facts and similar facts stated therein:~~

~~(i) a person's use of, subscription to and charges and payments for communication equipment and services including but not limited to equipment or services provided by telephone companies and internet service providers, but not including recorded conversations or images communicated thereby; and~~

~~(ii) financial transactions, and a person's ownership or possessory interest in any account, at a bank, insurance company, brokerage, exchange or banking organization as defined in section two of the banking law~~].

§ 2. Paragraph (c) of subdivision 8 of section 190.30 of the criminal procedure law, as added by chapter 279 of the laws of 2008, is amended to read as follows:

(c) Any business record offered to a grand jury pursuant to paragraph (a) of this subdivision that includes material [~~beyond that described in such paragraph (a)~~] **outside the scope of the business record as regularly generated** shall be redacted to exclude such additional material, or received subject to a limiting instruction that the grand jury shall not consider such additional material in support of any criminal charge.

§ 3. 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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