

# STATE OF NEW YORK

18

2025-2026 Regular Sessions

## IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. SKOUFIS, BORRELLO, HELMING, MARTINS, MURRAY, OBER-  
ACKER, ORTT, PALUMBO, STEC, TEDISCO, WEIK -- 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 securing  
orders for principals charged with arson felony offenses

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

1 Section 1. This act shall be known and may be cited as "Billy's law".  
2 § 2. Paragraphs (t) and (u) of subdivision 4 of section 510.10 of the  
3 criminal procedure law, paragraph (t) as amended and paragraph (u) as  
4 added by section 2 of subpart B of part UU of chapter 56 of the laws of  
5 2022, are amended and a new paragraph (v) is added to read as follows:  
6 (t) any felony or class A misdemeanor involving harm to an identifi-  
7 able person or property, or any charge of criminal possession of a  
8 firearm as defined in section 265.01-b of the penal law, where such  
9 charge arose from conduct occurring while the defendant was released on  
10 [~~his or her~~] their own recognizance, released under conditions, or had  
11 yet to be arraigned after the issuance of a desk appearance ticket for a  
12 separate felony or class A misdemeanor involving harm to an identifiable  
13 person or property, or any charge of criminal possession of a firearm as  
14 defined in section 265.01-b of the penal law, provided, however, that  
15 the prosecutor must show reasonable cause to believe that the defendant  
16 committed the instant crime and any underlying crime. For the purposes  
17 of this subparagraph, any of the underlying crimes need not be a quali-  
18 fying offense as defined in this subdivision. For the purposes of this  
19 paragraph, "harm to an identifiable person or property" shall include  
20 but not be limited to theft of or damage to property. However, based  
21 upon a review of the facts alleged in the accusatory instrument, if the  
22 court determines that such theft is negligible and does not appear to be  
23 in furtherance of other criminal activity, the principal shall be

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

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1 released on [~~his or her~~] their own recognizance or under appropriate  
2 non-monetary conditions; [~~or~~]

3 (u) criminal possession of a weapon in the third degree as defined in  
4 subdivision three of section 265.02 of the penal law or criminal sale of  
5 a firearm to a minor as defined in section 265.16 of the penal law[~~+~~];  
6 or

7 (v) arson in the fourth degree as defined in section 150.05 of the  
8 penal law or arson in the third degree as defined in section 150.10 of  
9 the penal law.

10 § 3. Subparagraphs (xx) and (xxi) of paragraph (b) of subdivision 1 of  
11 section 530.20 of the criminal procedure law, subparagraph (xx) as  
12 amended and subparagraph (xxi) as added by section 4 of subpart C of  
13 part UU of chapter 56 of the laws of 2022, are amended and a new  
14 subparagraph (xxii) is added to read as follows:

15 (xx) any felony or class A misdemeanor involving harm to an identifi-  
16 able person or property, or any charge of criminal possession of a  
17 firearm as defined in section 265.01-b of the penal law where such  
18 charge arose from conduct occurring while the defendant was released on  
19 [~~his or her~~] their own recognizance, released under conditions, or had  
20 yet to be arraigned after the issuance of a desk appearance ticket for a  
21 separate felony or class A misdemeanor involving harm to an identifiable  
22 person or property, provided, however, that the prosecutor must show  
23 reasonable cause to believe that the defendant committed the instant  
24 crime and any underlying crime. For the purposes of this subparagraph,  
25 any of the underlying crimes need not be a qualifying offense as defined  
26 in this subdivision. For the purposes of this paragraph, "harm to an  
27 identifiable person or property" shall include but not be limited to  
28 theft of or damage to property. However, based upon a review of the  
29 facts alleged in the accusatory instrument, if the court determines that  
30 such theft is negligible and does not appear to be in furtherance of  
31 other criminal activity, the principal shall be released on [~~his or her~~]  
32 their own recognizance or under appropriate non-monetary conditions;  
33 [~~or~~]

34 (xxi) criminal possession of a weapon in the third degree as defined  
35 in subdivision three of section 265.02 of the penal law or criminal sale  
36 of a firearm to a minor as defined in section 265.16 of the penal  
37 law[~~+~~]; or

38 (xxii) arson in the fourth degree as defined in section 150.05 of the  
39 penal law or arson in the third degree as defined in section 150.10 of  
40 the penal law.

41 § 4. Paragraphs (t) and (u) of subdivision 4 of section 530.40 of the  
42 criminal procedure law, paragraph (t) as amended and paragraph (u) as  
43 added by section 4 of subpart B of part UU of chapter 56 of the laws of  
44 2022, are amended and a new paragraph (v) is added to read as follows:

45 (t) any felony or class A misdemeanor involving harm to an identifi-  
46 able person or property, or any charge of criminal possession of a  
47 firearm as defined in section 265.01-b of the penal law, where such  
48 charge arose from conduct occurring while the defendant was released on  
49 [~~his or her~~] their own recognizance, released under conditions, or had  
50 yet to be arraigned after the issuance of a desk appearance ticket for a  
51 separate felony or class A misdemeanor involving harm to an identifiable  
52 person or property, or any charge of criminal possession of a firearm as  
53 defined in section 265.01-b of the penal law, provided, however, that  
54 the prosecutor must show reasonable cause to believe that the defendant  
55 committed the instant crime and any underlying crime. For the purposes  
56 of this subparagraph, any of the underlying crimes need not be a quali-

1 fying offense as defined in this subdivision. For the purposes of this  
2 paragraph, "harm to an identifiable person or property" shall include  
3 but not be limited to theft of or damage to property. However, based  
4 upon a review of the facts alleged in the accusatory instrument, if the  
5 court determines that such theft is negligible and does not appear to be  
6 in furtherance of other criminal activity, the principal shall be  
7 released on [~~his or her~~] their own recognizance or under appropriate  
8 non-monetary conditions; [~~or~~]

9 (u) criminal possession of a weapon in the third degree as defined in  
10 subdivision three of section 265.02 of the penal law or criminal sale of  
11 a firearm to a minor as defined in section 265.16 of the penal law[~~+~~];  
12 or

13 (v) arson in the fourth degree as defined in section 150.05 of the  
14 penal law or arson in the third degree as defined in section 150.10 of  
15 the penal law.

16 § 5. This act shall take effect on the ninetieth day after it shall  
17 have become a law.