STATE OF NEW YORK

329--A

Cal. No. 1245

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. BAILEY, BRISPORT, COMRIE, HOYLMAN-SIGAL, KRUEGER, MYRIE, RIVERA, SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the criminal procedure law, in relation to facilitating appellate review of rulings that implicate issues of public concern

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

Section 1. Subdivision 2 of section 710.70 of the criminal procedure law is amended to read as follows:

2. An order finally denying a motion to suppress evidence [~~may~~] **shall** be [~~reviewed~~] **reviewable** upon an appeal **raised by the defendant** from an ensuing judgment of conviction notwithstanding the fact that such judgment is entered upon a plea of guilty **and not withstanding an otherwise enforceable waiver of the right to appeal**.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.

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

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