STATE OF NEW YORK

481

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. OBERACKER, GALLIVAN -- 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 the use of video monitoring equipment to conduct arraignments

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

Section 1. Subdivision 1 of section 182.20 of the criminal procedure law, as separately amended by chapters 232, 279 and 285 of the laws of 2024, is amended to read as follows:

1. Notwithstanding any other provision of law and except as provided in section 182.30 of this article, the court, in its discretion, may dispense with the personal appearance of the defendant, except an appearance at a hearing or trial, and conduct an electronic appearance in connection with a criminal action pending in [~~Albany, Bronx, Broome, Erie, Jefferson, Kings, Monroe, New York, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Putnam, Queens, Richmond, Rockland, Saratoga, St. Lawrence, Seneca, Steuben, Tompkins, Chautauqua, Cattaraugus, Clinton, Essex, Montgomery, Rensselaer, Sullivan, Warren, Westchester, Suffolk, Herkimer, Franklin, Chemung, Schuyler, Yates, Delaware, Otsego or Schoharie~~] **any** county, provided that the chief administrator of the courts has authorized the use of electronic appearance and the defendant, after consultation with counsel, consents on the record. Such consent shall be required at the commencement of each electronic appearance to such electronic appearance.

§ 2. This act shall take effect immediately; provided that the amendments to subdivision 1 of section 182.20 of the criminal procedure law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

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

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