STATE OF NEW YORK

2361--A

2025-2026 Regular Sessions

IN SENATE

January 16, 2025

Introduced by Sens. SCARCELLA-SPANTON, C. RYAN -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the criminal procedure law, in relation to adolescent offenders authorized to be removed to family court

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

Section 1. Subparagraphs (ii) and (iii) of paragraph (c) of subdivision 2 of section 722.23 of the criminal procedure law, subparagraph (ii) as added by section 1-a of part WWW of chapter 59 of the laws of 2017 and subparagraph (iii) as amended by section 1 of part AA of chapter 55 of the laws of 2024, are amended to read as follows:

(ii) the defendant displayed a [~~firearm,~~] shotgun, rifle or deadly weapon as defined in the penal law in furtherance of such offense; or

(iii) **the defendant was illegally in possession of a loaded firearm as defined in the penal law; or**

(iv) the defendant unlawfully engaged in vaginal sexual contact, oral sexual contact, anal sexual contact, or sexual contact as defined in section 130.00 of the penal law.

§ 2. This act shall take effect on the first of November next succeeding the date upon which 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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