

STATE OF NEW YORK

611--A

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. STAVISKY, ROLISON -- 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 recommit-
mitted to said committee

AN ACT to amend the criminal procedure law, in relation to victim state-
ments at the sentencing of a defendant for a misdemeanor

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

1 Section 1. Paragraph (b) of subdivision 2 of section 380.50 of the
2 criminal procedure law, as added by chapter 307 of the laws of 1992, is
3 amended to read as follows:

4 (b) If the defendant is being sentenced for (1) a felony, or (2) a
5 misdemeanor where a pre-sentence report is ordered pursuant to subdivi-
6 sion two of section 390.20 of this title to which the defendant pled
7 guilty after being charged with a felony offense pursuant to the vehi-
8 cle and traffic law in an indictment or information in superior court
9 where such felony offense resulted in serious physical injury to the
10 victim, then the court, if requested at least ten days prior to the
11 sentencing date, shall accord the victim the right to make a statement
12 with regard to any matter relevant to the question of sentence. The
13 court shall notify the defendant no less than seven days prior to
14 sentencing of the victim's intent to make a statement at sentencing. If
15 the defendant does not receive timely notice pursuant to this subdivi-
16 sion, the defendant may request a reasonable adjournment.

17 § 2. This act shall take effect immediately.

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

LBD01551-04-5