STATE OF NEW YORK

611--B

Cal. No. 795

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. STAVISKY, MURRAY, 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 recommitted to said committee -- recommitted to the Committee on Codes in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

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

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

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

(b) If the defendant is being sentenced for **(1)** a felony**, or (2) a misdemeanor where a pre-sentence report is ordered pursuant to subdivision two of section 390.20 of this title to which the defendant pled guilty after being charged with a felony offense pursuant to the vehicle and traffic law in an indictment or information in superior court where such felony offense resulted in serious physical injury to the victim, then** the court, if requested at least ten days prior to the sentencing date, shall accord the victim [~~the right to make a statement with regard to any matter relevant to the question of sentence~~]**, or anyone designated by the victim to speak on such victim's behalf, the right to make a statement**. The court shall notify the defendant no less than seven days prior to sentencing of the victim's intent to make a statement at sentencing. If the defendant does not receive timely notice pursuant to this subdivision, the defendant may request a reasonable adjournment.

§ 2. This act shall take effect immediately.

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

LBD01551-07-6