# STATE OF NEW YORK

6492

2025-2026 Regular Sessions

# IN SENATE

March 14, 2025

Introduced by Sen. MYRIE -- 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 making technical corrections to the clean slate law to correct issues relating to multicategory conviction dockets and the conviction-specific supervision prohibitor

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

Section 1. Paragraph (b) of subdivision 1 of section 160.57 of the criminal procedure law, as added by chapter 631 of the laws of 2023, is amended to read as follows:

(b) Criminal convictions shall be sealed upon satisfaction of the following conditions:

(i) for a misdemeanor conviction, at least three years have passed from the defendant's release from incarceration or the imposition of sentence if there was no sentence of incarceration. If the defendant is subsequently convicted of a crime before a prior conviction is sealed pursuant to this section, the calculation of time for such prior conviction shall start upon the same date as the time calculation starts for the subsequent criminal conviction;

(ii) for a felony conviction, at least eight years have passed from the date the defendant was last released from incarceration for the sentence of the conviction eligible for sealing or from the imposition of sentence if there was no sentence of incarceration. A defendant's detention for an alleged violation of parole or post-release supervision shall not interfere with the time calculation prescribed herein unless and until supervision is revoked resulting in the defendant's reincarceration. If the defendant is subsequently convicted of a crime before a prior conviction is sealed pursuant to this section, the calculation of time for such prior conviction shall start upon the same date as the time calculation starts for the subsequent criminal conviction;

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

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(iii) **for any convictions of infractions or noncriminal violations from a docket or accusatory instrument from which other criminal convictions also originated, all such other criminal convictions stemming from such same docket or accusatory instrument have otherwise become eligible for sealing pursuant to this section;**

**(iv) where all other criminal convictions stemming from the same docket or accusatory instrument are also otherwise eligible for sealing pursuant to this section;**

**(v)** the defendant does not have a subsequent criminal charge pending in this state;

[~~(iv)~~] **(vi)** the defendant is not currently under the supervision of any probation or parole department [~~for the conviction eligible for sealing~~];

[~~(v)~~] **(vii)** the conviction is not for an offense defined as a sex offense or sexually violent offense under section one hundred sixty-eight-a of the correction law;

[~~(vi)~~] **(viii)** the conviction is not for a class A felony offense defined in the penal law, other than class A felony offenses defined in article two hundred twenty of the penal law;

[~~(vii)~~] **(ix)** the defendant is a natural person;

[~~(viii)~~] **(x)** the defendant does not have a subsequent felony charge pending in another jurisdiction that is not a felony charge related to reproductive or gender affirming care or the possession of cannabis which would not constitute a felony in New York. This subparagraph shall apply if and when appropriate federal authorities grant access to records necessary to query to effectuate the purposes of this subparagraph in an automated manner; and

[~~(ix)~~] **(xi)** the defendant does not have a subsequent felony conviction in another jurisdiction in the preceding eight years that is not a felony conviction related to reproductive or gender affirming care or the possession of cannabis which would not constitute a felony in New York. This subparagraph shall apply if and when appropriate federal authorities grant access to records necessary to query to effectuate the purposes of this subparagraph in an automated manner.

§ 2. This act shall take effect immediately.