

Legislative Bill Drafting Commission
14428-01-2

S. -----
Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed,
and when printed to be committed
to the Committee on

----- A.
Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the
Committee on

CRIMIPLA
(Prohibits removal of adolescent
offenders to family court in certain
circumstances)

CP L. removal to family court

AN ACT

to amend the criminal procedure law,
in relation to prohibiting removal
of adolescent offenders to family
court in certain circumstances

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

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship
of this proposal:

s15 Addabbo	s17 Felder	s07 Kaplan	s58 O'Mara	s10 Sanders
s52 Akshar	s59 Gallivan	s26 Kavanagh	s62 Ortt	s23 Savino
s36 Bailey	s05 Gaughran	s63 Kennedy	s01 Palumbo	s32 Sepulveda
s34 Biaggi	s12 Gianaris	s28 Krueger	s21 Parker	s41 Serino
s57 Borrello	s22 Gounardes	s24 Lanza	s19 Persaud	s29 Serrano
s04 Boyle	s47 Griffo	s11 Liu	s13 Ramos	s39 Skoufis
s44 Breslin	s40 Harckham	s50 Mannion	s61 Rath	s16 Stavisky
s25 Brisport	s54 Helming	s42 Martucci	s38 Reichlin-	s45 Stec
s08 Brooks	s46 Hinchey	s02 Mattera	Melnick	s35 Stewart-
s55 Brouk	s27 Hoylman	s53 May	s48 Ritchie	Cousins
s30 Cleare	s31 Jackson	s37 Mayer	s33 Rivera	s49 Tedisco
s14 Comrie	s43 Jordan	s20 Myrie	s60 Ryan	s06 Thomas
s56 Cooney	s09 Kaminsky	s51 Oberacker	s18 Salazar	s03 Weik

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the
multi-sponsorship of this proposal:

a049 Abbate	a045 Cymbrowitz	a100 Gunther	a015 Montesano	a076 Seawright
a092 Abinanti	a018 Darling	a139 Hawley	a145 Morinello	a084 Septimo
a031 Anderson	a053 Davila	a083 Heastie	a065 Niou	a016 Sillitti
a122 Angelino	a003 DeStefano	a028 Hevesi	a037 Nolan	a052 Simon
a107 Ashby	a070 Dickens	a128 Hunter	a144 Norris	a114 Simpson
a035 Aubry	a054 Dilan	a029 Hyndman	a069 O'Donnell	a005 Smith
a120 Barclay	a081 Dinowitz	a079 Jackson	a091 Otis	a118 Smullen
a030 Barnwell	a147 DiPietro	a104 Jacobson	a132 Palmesano	a022 Solages
a106 Barrett	a009 Durso	a011 Jean-Pierre	a088 Paulin	a110 Steck
a082 Benedetto	a048 Eichenstein	a134 Jensen	a141 Peoples-	a010 Stern
a042 Bichotte	a004 Englebright	a115 Jones	Stokes	a127 Stirpe
Hermelyn	a074 Epstein	a077 Joyner	a058 Perry	a102 Tague
a117 Blankenbush	a109 Fahy	a125 Kelles	a023 Pheffer	a064 Tannousis
a098 Brabene	a061 Fall	a040 Kim	Amato	a086 Tapia
a026 Braunstein	a080 Fernandez	a105 Lalor	a089 Pretlow	a071 Taylor
a138 Bronson	a008 Fitzpatrick	a013 Lavine	a073 Quart	a001 Thiele
a012 Brown	a057 Forrest	a097 Lawler	a019 Ra	a033 Vanel
a093 Burdick	a124 Friend	a126 Lemondes	a038 Rajkumar	a116 Walczyk
a085 Burgos	a046 Frontus	a135 Lunsford	a006 Ramos	a055 Walker
a142 Burke	a095 Galef	a123 Lupardo	a062 Reilly	a143 Wallace
a119 Buttenschon	a050 Gallagher	a129 Magnarelli	a087 Reyes	a112 Walsh
a094 Byrne	a131 Gallahan	a036 Mamdani	a043 Richardson	a041 Weinstein
a133 Byrnes	a007 Gandolfo	a130 Manktelow	a078 Rivera, J.	a024 Weprin
a103 Cahill	a002 Giglio, J.A.	a108 McDonald	a149 Rivera, J.D.	a059 Williams
a044 Carroll	a148 Giglio, J.M.	a014 McDonough	a027 Rosenthal, D.	a113 Woerner
a136 Clark	a066 Glick	a146 McMahon	a067 Rosenthal, L.	a096 Zebrowski
a047 Colton	a034 Gonzalez-	a137 Meeks	a025 Rozic	a056 Zinerman
a140 Conrad	Rojas	a017 Mikulin	a121 Salka	a060
a032 Cook	a150 Goodell	a101 Miller, B.	a111 Santabarbara	a068
a039 Cruz	a075 Gottfried	a020 Miller, M.	a090 Sayegh	a072
a063 Cusick	a021 Griffin	a051 Mitaynes	a099 Schmitt	

1) Single House Bill (introduced and printed separately in either or
both houses). Uni-Bill (introduced simultaneously in both houses and printed
as one bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2
signed copies of bill and: in Assembly 2 copies of memorandum in support, in
Senate 4 copies of memorandum in support (single house); or 4 signed copies
of bill and 6 copies of memorandum in support (uni-bill).

1 Section 1. Paragraph (c) of subdivision 2 of section 722.23 of the
2 criminal procedure law, as amended by section 1-a of part WWW of chapter
3 59 of the laws of 2017, is amended to read as follows:

4 (c) The court shall order the action to proceed in accordance with
5 subdivision one of this section unless, after reviewing the papers and
6 hearing from the parties, the court determines in writing that the
7 district attorney proved by a preponderance of the evidence one or more
8 of the following as set forth in the accusatory instrument:

9 (i) the defendant caused significant physical injury to a person other
10 than a participant in the offense; or

11 (ii) the defendant displayed a firearm, shotgun, rifle or deadly weap-
12 on as defined in the penal law in furtherance of such offense; or

13 (iii) the defendant possessed a loaded firearm as defined in subdivi-
14 sion fifteen of section 265.00 of the penal law during the commission of
15 the offense; or

16 (iv) the defendant unlawfully engaged in sexual intercourse, oral
17 sexual conduct, anal sexual conduct or sexual contact as defined in
18 section 130.00 of the penal law.

19 § 2. This act shall take effect immediately.