

1534

2009-2010 Regular Sessions

I N   S E N A T E

February 2, 2009

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Introduced by Sens. MORAHAN, ALESİ, VOLKER -- read twice and ordered  
printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to creating the crime of  
criminal evasion

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. The penal law is amended by adding a new section 205.35 to  
2 read as follows:  
3     S 205.35 CRIMINAL EVASION.  
4     A PERSON IS GUILTY OF CRIMINAL EVASION WHEN HE OR SHE COMMITS A  
5 VIOLATION OF SECTION ELEVEN HUNDRED TWO OR ELEVEN HUNDRED FORTY-FOUR OF  
6 THE VEHICLE AND TRAFFIC LAW AND WHILE COMMITTING SUCH VIOLATION OR IN  
7 THE IMMEDIATE FLIGHT THEREFROM, COMMITS THE OFFENSE OF RECKLESS DRIVING  
8 AS DEFINED IN SECTION TWELVE HUNDRED TWELVE OF THE VEHICLE AND TRAFFIC  
9 LAW AND ANY OFFENSE CONTAINED IN SECTION ELEVEN HUNDRED EIGHTY OF THE  
10 VEHICLE AND TRAFFIC LAW.  
11     CRIMINAL EVASION IS A CLASS D FELONY.  
12     S 2. This act shall take effect on the first of November next succeed-  
13 ing the date on 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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