S T A T E O F N E W Y O R K

6826

I N S E N A T E

March 14, 2014

Introduced by Sen. GOLDEN -- 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 identity theft and related crimes

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

Section 1. Subdivision 2 of section 190.78 of the penal law, as added by chapter 619 of the laws of 2002, is amended to read as follows:

2. commits a class [A misdemeanor] E FELONY or higher level crime.

S 2. The closing paragraph of section 190.79 of the penal law, as added by chapter 619 of the laws of 2002, is amended to read as follows:

Identity theft in the second degree is a class [E] D felony.

S 3. The closing paragraph of section 190.80 of the penal law, as added by chapter 619 of the laws of 2002, is amended to read as follows:

Identity theft in the first degree is a class [D] C felony.

S 4. The closing paragraph of section 190.85 of the penal law, as added by chapter 279 of the laws of 2008, is amended to read as follows:

Unlawful possession of a skimmer device in the second degree is a class [A misdemeanor] E FELONY.

S 5. The second undesignated paragraph of section 190.86 of the penal law, as added by chapter 279 of the laws of 2008, is amended to read as follows:

Unlawful possession of a skimmer device in the first degree is a class [E] D felony.

S 6. The closing paragraph of section 190.80-a of the penal law, as added by chapter 226 of the laws of 2008, is amended to read as follows:

Aggravated identity theft is a class [D] C felony.

S 7. The second undesignated paragraph of section 190.81 of the penal law, as added by chapter 619 of the laws of 2002, is amended to read as follows:

Unlawful possession of personal identification information in the third degree is a class [A misdemeanor] E FELONY.

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

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S 8. The second undesignated paragraph of section 190.82 of the penal law, as added by chapter 619 of the laws of 2002, is amended to read as follows:

Unlawful possession of personal identification information in the second degree is a class [E] D felony.

S 9. This act shall take effect on the first of November next succeeding the date on which it shall have become a law and shall apply only to offenses committed on or after such date.