

# STATE OF NEW YORK

421

2017-2018 Regular Sessions

## IN SENATE

(Prefiled)

January 4, 2017

Introduced by Sens. SEWARD, AVELLA, O'MARA -- 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 staging a motor vehicle accident

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

1 Section 1. This act shall be known and may be cited as "Alice's Law".  
2 § 2. The penal law is amended by adding three new sections 176.75,  
3 176.80 and 176.85 to read as follows:

4 § 176.75 Staging a motor vehicle accident in the third degree.

5 A person is guilty of staging a motor vehicle accident in the third  
6 degree when, with intent to commit a fraudulent insurance act, he or  
7 she:

8 (1) operates a motor vehicle and intentionally causes or attempts to  
9 cause a collision involving a motor vehicle; or

10 (2) solicits, requests, commands, importunes or otherwise attempts to  
11 cause another person to intentionally cause a collision involving a  
12 motor vehicle.

13 Staging a motor vehicle accident in the third degree is a class D  
14 felony.

15 § 176.80 Staging a motor vehicle accident in the second degree.

16 A person is guilty of staging a motor vehicle accident in the second  
17 degree when he or she commits the offense of staging a motor vehicle  
18 accident in the third degree, and has been previously convicted within  
19 the preceding five years of any crime defined in this article.

20 Staging a motor vehicle accident in the second degree is a class C  
21 felony.

22 § 176.85 Staging a motor vehicle accident in the first degree.

23 A person is guilty of staging a motor vehicle accident in the first  
24 degree when he or she commits the offense of staging a motor vehicle

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

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1 accident in the third degree and causes serious personal injury or death  
2 to another person, other than a participant in such offense.  
3 Staging a motor vehicle accident in the first degree is a class B  
4 felony.

5 § 3. This act shall take effect on the first of November next succeed-  
6 ing the date on which it shall have become a law.