

STATE OF NEW YORK

7571

IN SENATE

January 26, 2018

Introduced by Sen. HAMILTON -- 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 enacting the "Benny A. Lyde's Unarmed Act"

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "Benny A. Lyde's unarmed act".

3 § 2. The penal law is amended by adding a new section 70.12 to read as
4 follows:

5 § 70.12 Sentence of imprisonment for an offense committed against an
6 individual twenty-one years of age or younger.

7 1. Definition. For the purposes of this section, "offense committed"
8 shall mean an offense defined by section 120.10 (assault in the first
9 degree) of this chapter.

10 2. Authorized sentence. Notwithstanding any other provision of law,
11 when a person is convicted of an offense committed against an individual
12 twenty-one years of age or younger which is a class B felony, the term
13 of the determinative sentence must be at least ten years and no more than
14 thirty years if the defendant is sentenced pursuant to section 70.02 of
15 this article.

16 § 3. This act shall take effect on the one hundred eightieth day after
17 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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