

STATE OF NEW YORK

3316

2025-2026 Regular Sessions

IN ASSEMBLY

January 27, 2025

Introduced by M. of A. SMITH, DeSTEFANO, SAYEGH, MORINELLO, TANNOUSIS, McDONOUGH, ANGELINO -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the unlawful wearing of a body vest

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

1 Section 1. Subdivision 1 of section 270.20 of the penal law, as
2 amended by chapter 371 of the laws of 2022, is amended to read as
3 follows:

4 1. A person is guilty of the unlawful wearing of body armor when
5 acting either alone or with one or more other persons [~~he~~] such person
6 commits any [~~violent felony offense defined in section 70.02~~] misdemeanor or felony defined in this chapter while possessing a [~~firearm, rifle~~
7 ~~or shotgun~~] deadly weapon defined in section 10.00 of this chapter and
8 in the course of and in furtherance of such crime [~~he or she~~] such
9 person wears body armor.

10 § 2. Section 70.25 of the penal law is amended by adding a new subdi-
11 vision 2-h to read as follows:

12 2-h. Whenever a person is convicted of unlawful wearing of a body vest
13 as defined in section 270.20 of this chapter, the sentence imposed by
14 the court for such offense shall run consecutively to any sentence
15 imposed upon conviction of a misdemeanor or felony offense defined in
16 this chapter arising from the same criminal transaction.

17 § 3. This act shall take effect on the sixtieth day after it shall
18 have become a law.
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EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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