

10572

I N A S S E M B L Y

April 8, 2010

Introduced by M. of A. HYER-SPENCER -- read once and referred to the
Committee on Codes

AN ACT to amend the criminal procedure law, in relation to the filing of
a false financing statement

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

1 Section 1. The criminal procedure law is amended by adding a new
2 section 440.70 to read as follows:
3 S 440.70 NOTICE TO THE SECRETARY OF STATE WHEN FALSE FINANCING STATEMENT
4 FILED.
5 UPON CONVICTION OF ANY PERSON FOR A CRIME WHERE THE DEFENDANT INTEN-
6 TIONALLY FILED OR CAUSED TO BE FILED A FINANCING STATEMENT PURSUANT TO
7 ARTICLE NINE OF THE UNIFORM COMMERCIAL CODE ON FORM UCC1 THAT FALSELY
8 CLAIMS THAT A PERSON IS INDEBTED OR OBLIGATED TO SUCH DEFENDANT, THE
9 COURT WHEREIN SUCH CONVICTION IS ENTERED, OR THE CLERK THEREOF, SHALL
10 ISSUE AND CAUSE TO BE FILED A CERTIFICATE WITH THE NEW YORK SECRETARY OF
11 STATE: (A) CERTIFYING THAT A JUDGMENT OF CONVICTION HAS BEEN ENTERED IN
12 SUCH COURT AGAINST THE DEFENDANT WHO WAS LISTED AS THE SECURED PARTY IN
13 SUCH FORM; AND (B) SPECIFYING THE DATE AND LOCATION OF THE FILING, ANY
14 FILING OR INDEXING NUMBER ASSIGNED TO SUCH FILING, THE DEBTOR NAMED IN
15 SUCH STATEMENT, AND A DESCRIPTION OF THE COLLATERAL ENCUMBERED BY THE
16 INSTRUMENT.
17 S 2. This act shall take effect immediately.

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

LBD16760-01-0