

10788

I N A S S E M B L Y

April 21, 2010

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

AN ACT to amend the penal law, in relation to establishing the crime of
repeat minor offender

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

1 Section 1. The penal law is amended by adding a new section 270.40 to
2 read as follows:
3 S 270.40 REPEAT MINOR OFFENDER.
4 1. A PERSON IS GUILTY OF BEING A REPEAT MINOR OFFENDER WHEN HE OR SHE
5 COMMITS A CRIME AS DEFINED IN THIS CHAPTER AND HE OR SHE HAS BEEN PREVI-
6 OUSLY CONVICTED OF EITHER:
7 (A) THREE SEPARATE CLASS A MISDEMEANORS, OR
8 (B) FIVE SEPARATE CLASS B MISDEMEANORS, WITHIN THE PAST EIGHTY-FOUR
9 MONTHS.
10 2. FOR THE PURPOSES OF DETERMINING WHETHER A PERSON HAS COMMITTED THIS
11 CRIME, NO TWO MISDEMEANORS MAY ORIGINATE FROM THE SAME CRIMINAL INCI-
12 DENT.
13 REPEAT MINOR OFFENDER IS A CLASS E FELONY.
14 S 2. This act shall take effect on the ninetieth day after it shall
15 have become a law.

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

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