S T A T E O F N E W Y O R K

2510

2009-2010 Regular Sessions

I N A S S E M B L Y

January 16, 2009

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

AN ACT to amend the penal law, in relation to revocable sentences of probation or conditional discharge and imprisonment

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

Section 1. Paragraph (d) of subdivision 2 of section 60.01 of the penal law, as amended by chapter 65 of the laws of 1982, is amended to read as follows:

(d) In any case where the court imposes a sentence of imprisonment not in excess of sixty days[,] for a CLASS B misdemeanor, OR NOT IN EXCESS OF NINETY DAYS FOR A CLASS A MISDEMEANOR, or not in excess of [six] NINE months for a felony or in the case of a sentence of intermittent imprisonment not in excess of four months, it may also impose a sentence of probation or conditional discharge provided that the term of probation or conditional discharge together with the term of imprisonment shall not exceed the term of probation or conditional discharge authorized by article sixty-five of this chapter. The sentence of imprisonment shall be a condition of and run concurrently with the sentence of probation or conditional discharge.

S 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law, and shall apply only to offenses committed on or after such date.

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

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