

3289

2009-2010 Regular Sessions

I N   A S S E M B L Y

January 26, 2009

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

AN ACT to amend the penal law, in relation to the amount of restitution  
and reparation to school districts

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

1     Section 1. Paragraph (a) of subdivision 5 of section 60.27 of the  
2     penal law, as amended by chapter 499 of the laws of 2005, is amended to  
3     read as follows:  
4     (a) Except upon consent of the defendant or as provided in paragraph  
5     (b) of this subdivision, or as a condition of probation or conditional  
6     discharge as provided in paragraph (g) of subdivision two of section  
7     65.10 of this [chapter] TITLE, the amount of restitution or reparation  
8     required by the court shall not exceed fifteen thousand dollars in the  
9     case of a conviction for a felony, or ten thousand dollars in the case  
10    of a conviction for any offense other than a felony. Notwithstanding the  
11    provisions of this subdivision, if an officer of a school district is  
12    convicted of violating any section of article one hundred fifty-five of  
13    this chapter where the victim of such crime is such officer's school  
14    district, the court [may] SHALL require an amount of restitution up to  
15    the full amount of the fruits of the offense or reparation up to the  
16    full amount of the actual out-of-pocket loss suffered by the victim,  
17    provided further that in such case the provisions of paragraph (b) of  
18    this subdivision shall not apply.  
19    S 2. This act shall take effect immediately.

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

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