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

3443

2009-2010 Regular Sessions

I N A S S E M B L Y

January 27, 2009

Introduced by M. of A. COOK -- Multi-Sponsored by -- M. of A. CHRISTENSEN, CLARK, COLTON, GLICK, TOWNS, WEISENBERG -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to enumerating sanctions against persons who sell alcoholic beverages to minors

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

Section 1. The closing paragraph of section 260.20 of the penal law, as amended by chapter 362 of the laws of 1992, is amended to read as follows:

Unlawfully dealing with a child in the first degree is a class A misdemeanor AND ANY PERSON WHO VIOLATES THE PROVISIONS OF SUBDIVISION TWO OF THIS SECTION SHALL, UPON FIRST CONVICTION THEREOF, BE PUNISHED BY A FINE OF ONE HUNDRED TWENTY-FIVE DOLLARS OR BY IMPRISONMENT IN A COUNTY JAIL OR PENITENTIARY FOR A TERM OF NOT LESS THAN THIRTY DAYS NOR MORE THAN ONE YEAR OR BOTH, AND UPON A SECOND CONVICTION THEREOF SHALL BE PUNISHED BY A FINE NOT LESS THAN TWO HUNDRED FIFTY DOLLARS OR BY IMPRISONMENT IN A COUNTY JAIL OR PENITENTIARY FOR A TERM OF NOT LESS THAN SIXTY DAYS NOR MORE THAN ONE YEAR OR BOTH, AND UPON A THIRD CONVICTION THEREOF SHALL BE PUNISHED BY A FINE NOT LESS THAN THREE HUNDRED SEVENTY-FIVE DOLLARS OR BY IMPRISONMENT IN A COUNTY JAIL OR PENITENTIARY FOR A TERM OF NOT LESS THAN ONE HUNDRED TWENTY DAYS NOR MORE THAN ONE YEAR OR BOTH, AND UPON A FOURTH CONVICTION THEREOF SHALL BE PUNISHED BY A FINE NOT LESS THAN FIVE HUNDRED DOLLARS OR BY IMPRISONMENT IN A COUNTY JAIL OR PENITENTIARY FOR A TERM OF NOT LESS THAN ONE HUNDRED EIGHTY DAYS NOR MORE THAN ONE YEAR OR BOTH, AND UPON ALL SUBSEQUENT CONVICTIONS THEREOF SHALL BE PUNISHED BY A FINE OF NOT LESS THAN ONE THOUSAND DOLLARS OR BY IMPRISONMENT IN A COUNTY JAIL OR PENITENTIARY FOR A TERM OF ONE YEAR OR BOTH.

S 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

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

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