

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. CHRISTEN-  
SEN, 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 ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The closing paragraph of section 260.20 of the penal law,  
2 as amended by chapter 362 of the laws of 1992, is amended to read as  
3 follows:  
4 Unlawfully dealing with a child in the first degree is a class A  
5 misdemeanor AND ANY PERSON WHO VIOLATES THE PROVISIONS OF SUBDIVISION  
6 TWO OF THIS SECTION SHALL, UPON FIRST CONVICTION THEREOF, BE PUNISHED BY  
7 A FINE OF ONE HUNDRED TWENTY-FIVE DOLLARS OR BY IMPRISONMENT IN A COUNTY  
8 JAIL OR PENITENTIARY FOR A TERM OF NOT LESS THAN THIRTY DAYS NOR MORE  
9 THAN ONE YEAR OR BOTH, AND UPON A SECOND CONVICTION THEREOF SHALL BE  
10 PUNISHED BY A FINE NOT LESS THAN TWO HUNDRED FIFTY DOLLARS OR BY IMPRI-  
11 SONMENT IN A COUNTY JAIL OR PENITENTIARY FOR A TERM OF NOT LESS THAN  
12 SIXTY DAYS NOR MORE THAN ONE YEAR OR BOTH, AND UPON A THIRD CONVICTION  
13 THEREOF SHALL BE PUNISHED BY A FINE NOT LESS THAN THREE HUNDRED SEVEN-  
14 TY-FIVE DOLLARS OR BY IMPRISONMENT IN A COUNTY JAIL OR PENITENTIARY FOR  
15 A TERM OF NOT LESS THAN ONE HUNDRED TWENTY DAYS NOR MORE THAN ONE YEAR  
16 OR BOTH, AND UPON A FOURTH CONVICTION THEREOF SHALL BE PUNISHED BY A  
17 FINE NOT LESS THAN FIVE HUNDRED DOLLARS OR BY IMPRISONMENT IN A COUNTY  
18 JAIL OR PENITENTIARY FOR A TERM OF NOT LESS THAN ONE HUNDRED EIGHTY DAYS  
19 NOR MORE THAN ONE YEAR OR BOTH, AND UPON ALL SUBSEQUENT CONVICTIONS  
20 THEREOF SHALL BE PUNISHED BY A FINE OF NOT LESS THAN ONE THOUSAND  
21 DOLLARS OR BY IMPRISONMENT IN A COUNTY JAIL OR PENITENTIARY FOR A TERM  
22 OF ONE YEAR OR BOTH.  
23 S 2. This act shall take effect on the first of November next succeed-  
24 ing 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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