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

3675

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

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

AN ACT to amend the penal law, in relation to increasing penalties for robbery using a device that appears to be a bomb

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

Section 1. Section 160.10 of the penal law, as amended by chapter 374 of the laws of 1973, paragraph (b) of subdivision 2 as amended and subdivision 3 as added by chapter 308 of the laws of 1995, is amended to read as follows:

S 160.10 Robbery in the second degree.

A person is guilty of robbery in the second degree when he forcibly steals property and when:

1. He is aided by another person actually present; or

2. In the course of the commission of the crime or of immediate flight therefrom, he or another participant in the crime:

(a) Causes physical injury to any person who is not a participant in the crime; or

(b) Displays what appears to be a pistol, revolver, rifle, shotgun, machine gun, A BOMB or other firearm; or

3. The property consists of a motor vehicle, as defined in section one hundred twenty-five of the vehicle and traffic law.

Robbery in the second degree is a class C felony.

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.

LBD02460-01-9