

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:

1 Section 1. Section 160.10 of the penal law, as amended by chapter 374
2 of the laws of 1973, paragraph (b) of subdivision 2 as amended and
3 subdivision 3 as added by chapter 308 of the laws of 1995, is amended to
4 read as follows:
5 S 160.10 Robbery in the second degree.
6 A person is guilty of robbery in the second degree when he forcibly
7 steals property and when:
8 1. He is aided by another person actually present; or
9 2. In the course of the commission of the crime or of immediate flight
10 therefrom, he or another participant in the crime:
11 (a) Causes physical injury to any person who is not a participant in
12 the crime; or
13 (b) Displays what appears to be a pistol, revolver, rifle, shotgun,
14 machine gun, A BOMB or other firearm; or
15 3. The property consists of a motor vehicle, as defined in section one
16 hundred twenty-five of the vehicle and traffic law.
17 Robbery in the second degree is a class C felony.
18 S 2. This act shall take effect on the first of November next succeed-
19 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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