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

4992

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

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

AN ACT to amend the penal law, in relation to including within the definition of "second felony offender" a person convicted of a felony under the vehicle and traffic law

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

Section 1. Paragraph (a) of subdivision 1 of section 70.06 of the penal law, as amended by chapter 410 of the laws of 1979, is amended to read as follows:

(a) A second felony offender is a person, other than a second violent felony offender as defined in section 70.04, who stands convicted of a felony defined in this chapter, other than a class A-I felony, OR WHO STANDS CONVICTED OF A FELONY DEFINED IN ARTICLE THIRTY-ONE OF THE VEHICLE AND TRAFFIC LAW, after having previously been subjected to one or more predicate felony convictions as defined in paragraph (b) of this subdivision.

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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