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

5120

2009-2010 Regular Sessions

I N  A S S E M B L Y

February 10, 2009

Introduced by M. of A. GIGLIO, WALKER, KOLB, FINCH, ERRIGO, CALHOUN -- Multi-Sponsored by -- M. of A. BURLING, CROUCH, HAWLEY, McDONOUGH, McKEVITT -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the minimum sentence of imprisonment for juvenile offenders convicted of murder in the second degree

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

Section 1. Paragraph (a) of subdivision 3 of section 70.05 of the penal law, as amended by chapter 174 of the laws of 2003, is amended to read as follows:

(a) For the class A felony of murder in the second degree, the minimum period of imprisonment shall be fixed by the court and shall be not less than [five] FIFTEEN years but shall not exceed [nine] TWENTY-FIVE years [provided, however, that where the sentence is for an offense specified in subdivision one or two of section 125.25 of this chapter and the defendant was fourteen or fifteen years old at the time of such offense, the minimum period of imprisonment shall be not less than seven and one-half years but shall not exceed fifteen years];

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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