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

7099

2009-2010 Regular Sessions

I N A S S E M B L Y

March 20, 2009

Introduced by M. of A. GOTTFRIED, GALEF, KOON, PAULIN -- Multi-Sponsored by -- M. of A. EDDINGTON, GABRYSZAK, McDONOUGH, McENENY, MENG, PHEFFER, REILLY, SCHIMEL, SWEENEY, THIELE, WEISENBERG -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to including certain written false statements within perjury

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

Section 1. Subdivision 1 of section 210.00 of the penal law is amended to read as follows:

1. "Oath" includes an affirmation and every other mode authorized by law of attesting to the truth of that which is stated, INCLUDING MAKING A STATEMENT IN A WRITTEN INSTRUMENT BEARING A LEGALLY AUTHORIZED FORM NOTICE TO THE EFFECT THAT FALSE STATEMENTS MADE THEREIN ARE PUNISHABLE.

S 2. Section 210.45 of the penal law is amended to read as follows:

S 210.45 Making a punishable false written statement.

A person is guilty of making a punishable false written statement when he knowingly makes a false statement, which he does not believe to be true, in a written instrument bearing a legally authorized form notice to the effect that false statements made therein are punishable. MAKING A PUNISHABLE FALSE STATEMENT MAY ALSO BE DEEMED TO BE SWEARING FALSELY FOR PURPOSES OF ANY APPROPRIATE DEGREE OF PERJURY.

Making a punishable false written statement is a class A misdemeanor.

S 3. This act shall take effect on the first of January 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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