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

7926

2009-2010 Regular Sessions

I N A S S E M B L Y

April 28, 2009

Introduced by M. of A. ABBATE, ALFANO, BARRA -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to definitions of criminal enterprise and pattern of criminal activity

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

Section 1. Subdivision 3 and paragraph (b) of subdivision 4 of section 460.10 of the penal law, as added by chapter 516 of the laws of 1986, are amended to read as follows:

3. "Criminal enterprise" means a group of persons sharing a common purpose of engaging in criminal conduct, associated in an ascertainable structure [distinct from a pattern] of criminal activity, and with a continuity of existence[, structure] and criminal purpose beyond the scope of individual criminal incidents.

(b) are neither isolated incidents, nor so closely related and connected in point of time or circumstance of commission as to constitute a SINGLE criminal offense [or criminal transaction,] as [those terms are] defined in section 40.10 of the criminal procedure law; and

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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