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

8195

2009-2010 Regular Sessions

I N A S S E M B L Y

May 7, 2009

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

AN ACT to amend the penal law and the general business law, in relation to criminal mischief and securities fraud

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

Section 1. Subdivision 2 of section 145.05 of the penal law, as amended by chapter 276 of the laws of 2003, is amended to read as follows:

2. damages property of another person in an amount exceeding [two hundred fifty] ONE THOUSAND dollars.

S 2. Section 145.10 of the penal law, as amended by chapter 961 of the laws of 1971, is amended to read as follows:

S 145.10 Criminal mischief in the second degree.

A person is guilty of criminal mischief in the second degree when with intent to damage property of another person, and having no right to do so nor any reasonable ground to believe that he has such right, he damages property of another person in an amount exceeding [one] THREE thousand [five hundred] dollars.

Criminal mischief in the second degree is a class D felony.

S 3. Subdivision 6 of section 352-c of the general business law, as added by chapter 146 of the laws of 1982, is amended to read as follows:

6. Any person, partnership, corporation, company, trust or association, or any agent or employee thereof who intentionally engages in fraud, deception, concealment, suppression, false pretense or fictitious or pretended purchase or sale, or who makes any material false representation or statement with intent to deceive or defraud, while engaged in inducing or promoting the issuance, distribution, exchange, sale, negotiation or purchase within or from this state of any securities or commodities, as defined in this article, and thereby wrongfully obtains

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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property of a value in excess of [two hundred fifty] ONE THOUSAND dollars, shall be guilty of a class E felony.

S 4. This act shall take effect immediately and shall apply to offenses committed on or after such effective date, and to offenses committed prior to such effective date where the criminal proceeding arising out of the commission of such offense is pending on the effective date of this act.