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

831

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. DelMONTE, BENEDETTO, FIELDS, SCHIMMINGER -- Multi-Sponsored by -- M. of A. BOYLAND, CHRISTENSEN, EDDINGTON, HYER-SPENCER, KOON, MARKEY, MAYERSOHN, PHEFFER, ROBINSON, TOWNS, WEISENBERG -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to repeat offender status for petit larceny offenses

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

Section 1. Section 155.25 of the penal law is amended to read as follows:

S 155.25 Petit larceny IN THE SECOND DEGREE.

A person is guilty of petit larceny IN THE SECOND DEGREE when he OR SHE steals property.

Petit larceny IN THE SECOND DEGREE is a class A misdemeanor.

S 2. The penal law is amended by adding a new section 155.26 to read as follows:

S 155.26 PETIT LARCENY IN THE FIRST DEGREE.

A PERSON IS GUILTY OF PETIT LARCENY IN THE FIRST DEGREE WHEN HE OR SHE STEALS PROPERTY AND HAS BEEN CONVICTED TWO OR MORE TIMES OF PETIT LARCENY UNDER SECTION 155.25 OR THIS SECTION WITHIN THE PRECEDING FIVE YEARS.

PETIT LARCENY IN THE FIRST DEGREE IS A CLASS E FELONY.

S 3. 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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