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

881

2009-2010 Regular Sessions

I N S E N A T E

January 21, 2009

Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to multiple bias-related offenses committed as part of a common plan or scheme

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

Section 1. The penal law is amended by adding a new section 485.15 to read as follows:

S 485.15 MULTIPLE OFFENSES OF CRIMINAL MISCHIEF AS PART OF A COMMON PLAN OR SCHEME.

NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE COMMISSION OF MULTIPLE OFFENSES, AS PART OF A COMMON PLAN OR SCHEME, OF CRIMINAL MISCHIEF IN THE THIRD DEGREE AS DEFINED IN SECTION 145.05 OF THIS CHAPTER, CRIMINAL MISCHIEF IN THE SECOND DEGREE AS DEFINED IN SECTION 145.10 OF THIS CHAPTER, OR CRIMINAL MISCHIEF IN THE FIRST DEGREE AS DEFINED IN SECTION 145.12 OF THIS CHAPTER, WHERE SUCH OFFENSES ARE CLASSIFIED AS HATE CRIMES PURSUANT TO THE PROVISIONS OF SECTION 485.05 OF THIS ARTICLE, SHALL BE CONSIDERED CUMULATIVELY IN DETERMINING THE ENTIRE AMOUNT OF DAMAGE TO PROPERTY CAUSED BY THE COMMISSION OF SUCH OFFENSES AND SHALL BE PUNISHABLE ACCORDING TO THE CUMULATIVE AMOUNT OF DAMAGE CAUSED BY THE COMMISSION OF SUCH MULTIPLE OFFENSES.

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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