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

1624

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

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

AN ACT to amend the penal law, in relation to creating the crime of criminal evasion

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 205.35 to read as follows:

S 205.35 CRIMINAL EVASION.

A PERSON IS GUILTY OF CRIMINAL EVASION WHEN HE OR SHE COMMITS A VIOLATION OF SECTION ELEVEN HUNDRED TWO OR ELEVEN HUNDRED FORTY-FOUR OF THE VEHICLE AND TRAFFIC LAW AND WHILE COMMITTING SUCH VIOLATION OR IN THE IMMEDIATE FLIGHT THEREFROM, COMMITS THE OFFENSE OF RECKLESS DRIVING AS DEFINED IN SECTION TWELVE HUNDRED TWELVE OF THE VEHICLE AND TRAFFIC LAW AND ANY OFFENSE CONTAINED IN SECTION ELEVEN HUNDRED EIGHTY OF THE VEHICLE AND TRAFFIC LAW.

CRIMINAL EVASION IS A CLASS D FELONY.

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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