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

4155

2009-2010 Regular Sessions

I N A S S E M B L Y

January 30, 2009

Introduced by M. of A. CYMBROWITZ -- Multi-Sponsored by -- M. of A. PHEFFER, ROBINSON -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the crime of unauthorized use of a motor vehicle in the second degree

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

Section 1. Section 165.06 of the penal law, as amended by chapter 413 of the laws of 1982, is amended to read as follows:

S 165.06 Unauthorized use of a vehicle in the second degree.

A person is guilty of unauthorized use of a vehicle in the second degree when:

He commits the crime of unauthorized use of a vehicle in the third degree as defined in subdivision one of section 165.05 of this article and has been previously convicted of the crime of unauthorized use of a vehicle in the third degree as defined in subdivision one of section 165.05 or FIRST OR second [degree] DEGREES, AUTO STRIPPING, GRAND LARCENY OF A MOTOR VEHICLE, CRIMINAL POSSESSION OF A MOTOR VEHICLE OR ILLEGAL POSSESSION OF A VEHICLE IDENTIFICATION NUMBER within the preceding ten years.

Unauthorized use of a vehicle in the second degree is a class E 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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