

4339

2009-2010 Regular Sessions

I N A S S E M B L Y

February 3, 2009

Introduced by M. of A. HYER-SPENCER, BENEDETTO, MARKEY, ALFANO, BALL, ERRIGO, WALKER, McDONOUGH -- Multi-Sponsored by -- M. of A. BARRA, CUSICK, GABRYSZAK, GALEF, HOYT, JOHN, MAISEL, WEISENBERG -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to penalties for graffiti and related misdemeanors

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

1 Section 1. The second undesignated paragraph of section 145.25 of the
2 penal law is amended to read as follows:
3 Reckless endangerment of property BY A PERSON FIFTEEN YEARS OF AGE OR
4 YOUNGER is a class B misdemeanor ADDITIONALLY PUNISHABLE BY INELIGIBIL-
5 ITY FOR A DRIVER'S LICENSE UNTIL THE AGE OF TWENTY-ONE; RECKLESS ENDAN-
6 GERMENT OF PROPERTY BY A PERSON BETWEEN THE AGES OF SIXTEEN AND TWENTY
7 IS A CLASS B MISDEMEANOR ADDITIONALLY PUNISHABLE BY SUSPENSION OF HIS OR
8 HER DRIVER'S LICENSE UNTIL THE AGE OF TWENTY-ONE OR INELIGIBILITY FOR A
9 DRIVER'S LICENSE UNTIL THE AGE OF TWENTY-ONE; RECKLESS ENDANGERMENT OF
10 PROPERTY BY A PERSON AGE TWENTY-ONE YEARS OF AGE OR OLDER IS A CLASS B
11 MISDEMEANOR.
12 S 2. The closing paragraph of section 145.60 of the penal law, as
13 added by chapter 458 of the laws of 1992, is amended to read as follows:
14 Making graffiti BY A PERSON FIFTEEN YEARS OF AGE OR YOUNGER is a class
15 A misdemeanor ADDITIONALLY PUNISHABLE BY INELIGIBILITY FOR A DRIVER'S
16 LICENSE UNTIL THE AGE OF TWENTY-ONE; MAKING GRAFFITI BY A PERSON BETWEEN
17 THE AGES OF SIXTEEN AND TWENTY IS A CLASS A MISDEMEANOR ADDITIONALLY
18 PUNISHABLE BY SUSPENSION OF HIS OR HER DRIVER'S LICENSE UNTIL THE AGE OF
19 TWENTY-ONE OR INELIGIBILITY FOR A DRIVER'S LICENSE UNTIL THE AGE OF
20 TWENTY-ONE; MAKING GRAFFITI BY A PERSON AGE TWENTY-ONE YEARS OF AGE OR
21 OLDER IS A CLASS A MISDEMEANOR.

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

LBD07470-01-9

1 S 3. The second undesignated paragraph of section 145.65 of the penal
2 law, as added by chapter 458 of the laws of 1992, is amended to read as
3 follows:

4 Possession of graffiti instruments BY A PERSON FIFTEEN YEARS OF AGE OR
5 YOUNGER is a class B misdemeanor ADDITIONALLY PUNISHABLE BY INELIGIBIL-
6 ITY FOR A DRIVER'S LICENSE UNTIL THE AGE OF TWENTY-ONE; POSSESSION OF
7 GRAFFITI INSTRUMENTS BY A PERSON BETWEEN THE AGES OF SIXTEEN AND TWENTY
8 IS A CLASS A MISDEMEANOR ADDITIONALLY PUNISHABLE BY SUSPENSION OF HIS OR
9 HER DRIVER'S LICENSE UNTIL THE AGE OF TWENTY-ONE OR INELIGIBILITY FOR A
10 DRIVER'S LICENSE UNTIL THE AGE OF TWENTY-ONE; POSSESSION OF GRAFFITI
11 INSTRUMENTS BY A PERSON AGE TWENTY-ONE YEARS OF AGE OR OLDER IS A CLASS
12 A MISDEMEANOR.

13 S 4. This act shall take effect on the first of November next succeed-
14 ing the date on which it shall have become a law.