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

449

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. JACOBS, JOHN -- Multi-Sponsored by -- M. of A. KOON -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to concurrent and consecutive terms of imprisonment

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

Section 1. Section 70.25 of the penal law is amended by adding a new subdivision 2-h to read as follows:

2-H. WHENEVER A PERSON IS CONVICTED OF TWO OR MORE COUNTS OF RAPE IN THE FIRST DEGREE AS DEFINED IN SECTION 130.35 OF THIS CHAPTER, COMMITTED AGAINST DIFFERENT VICTIMS OR THE SAME VICTIM, IN SEPARATE AND DISTINCT SEXUAL ACTS, THEN ANY TERMS OF IMPRISONMENT WHICH MAY BE IMPOSED AS A SENTENCE UPON SUCH CONVICTIONS SHALL RUN CONSECUTIVELY TO EACH OTHER AND TO ANY OTHER UNDISCHARGED TERM OF IMPRISONMENT TO WHICH THE DEFENDANT WAS SUBJECT AND FOR WHICH HE OR SHE MAY BE CONFINED AT THE TIME OF SENTENCING.

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.

LBD02187-01-9