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

4707

2009-2010 Regular Sessions

I N A S S E M B L Y

February 5, 2009

Introduced by M. of A. CLARK, GABRYSZAK, FIELDS, P. LOPEZ, EDDINGTON, CALHOUN, WALKER -- Multi-Sponsored by -- M. of A. BACALLES, BALL, COLTON, CROUCH, GALEF, GIGLIO, KOLB, MAISEL, MAYERSOHN, McDONOUGH, PHEFFER, REILLY, THIELE, WEISENBERG -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to making citizenship document fraud in the first degree and second degree class D and E felonies, respectively

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 two new sections 190.21 and 190.22 to read as follows:

S 190.21 CITIZENSHIP DOCUMENT FRAUD IN THE SECOND DEGREE.

A PERSON IS GUILTY OF CITIZENSHIP DOCUMENT FRAUD IN THE SECOND DEGREE WHEN, WITH INTENT TO FACILITATE THE CONCEALMENT OF THE TRUE CITIZENSHIP OR RESIDENT ALIEN STATUS OF ANOTHER OR HIMSELF OR HERSELF, HE OR SHE KNOWINGLY USES ANY FALSE DOCUMENT TO FACILITATE SUCH CONCEALMENT.

CITIZENSHIP DOCUMENT FRAUD IN THE SECOND DEGREE IS A CLASS E FELONY.

S 190.22 CITIZENSHIP DOCUMENT FRAUD IN THE FIRST DEGREE.

A PERSON IS GUILTY OF CITIZENSHIP DOCUMENT FRAUD IN THE FIRST DEGREE WHEN, WITH INTENT TO FACILITATE THE CONCEALMENT OF THE TRUE CITIZENSHIP OR RESIDENT ALIEN STATUS OF ANOTHER OR HIMSELF OR HERSELF, HE OR SHE KNOWINGLY MANUFACTURES, DISTRIBUTES, OR SELLS ANY FALSE DOCUMENT.

CITIZENSHIP DOCUMENT FRAUD IN THE FIRST DEGREE 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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