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

5447

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

Introduced by M. of A. McKEVITT, WALKER, FINCH, McDONOUGH, GIGLIO, KOLB, ALFANO, BARRA -- Multi-Sponsored by -- M. of A. CALHOUN, CROUCH -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to expanding the definition of "second felony offender"

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

Section 1. Paragraph (a) of subdivision 1 of section 70.06 of the penal law, as amended by chapter 410 of the laws of 1979, is amended to read as follows:

(a) A second felony offender is a person, other than a second violent felony offender as defined in section 70.04, who stands convicted of a felony [defined in this chapter], other than a class A-I felony, after having previously been subjected to one or more predicate felony convictions as defined in paragraph (b) of this subdivision.

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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