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

8191

2009-2010 Regular Sessions

I N A S S E M B L Y

May 7, 2009

Introduced by M. of A. BOYLE, THIELE, BURLING, CALHOUN, GIGLIO, TOWNSEND, ALFANO, SALADINO, CROUCH, McDONOUGH -- Multi-Sponsored by -- M. of A. BARRA, DUPREY, HAYES, McKEVITT, OAKS, WALKER -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to youthful offender status and to repeal subdivision 3 of section 720.10 of such law relating thereto

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

Section 1. Paragraph (a) of subdivision 2 of section 720.10 of the criminal procedure law, as amended by chapter 316 of the laws of 2006, is amended to read as follows:

(a) the conviction to be replaced by a youthful offender finding is for (i) a class A-I or class A-II felony, or (ii) an armed felony as defined in subdivision forty-one of section 1.20, [except as provided in subdivision three,] or (iii) rape in the first degree, RAPE IN THE SECOND DEGREE, criminal sexual act in the first degree, CRIMINAL SEXUAL ACT IN THE SECOND DEGREE or aggravated sexual abuse, [except as provided in subdivision three,] or

S 2. Subdivision 3 of section 720.10 of the criminal procedure law is REPEALED and subdivisions 4, 5 and 6, as renumbered by chapter 481 of the laws of 1978, are renumbered subdivisions 3, 4 and 5.

S 3. This act shall take effect on the ninetieth day after 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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