

2139

2009-2010 Regular Sessions

I N   S E N A T E

February 11, 2009

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Introduced by Sen. KRUGER -- read twice and ordered printed, and when  
printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to prohibiting parole in  
certain circumstances

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

1     Section 1. Section 70.40 of the penal law is amended by adding a new  
2     subdivision 4 to read as follows:

3     4. WHEN A PERSON HAS BEEN CONVICTED OF A CLASS B VIOLENT FELONY  
4     OFFENSE AS DEFINED IN PARAGRAPH (A) OF SUBDIVISION ONE OF SECTION 70.02  
5     OF THIS ARTICLE AND HAS PREVIOUSLY BEEN CONVICTED OF A CLASS B VIOLENT  
6     FELONY OFFENSE, SUCH PERSON SHALL NOT BE ELIGIBLE FOR PAROLE.

7     S 2. This act shall take effect on the first of November next  
8     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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