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

2444

2009-2010 Regular Sessions

I N S E N A T E

February 20, 2009

Introduced by Sen. STEWART-COUSINS -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to increasing penalties for violations of the elective franchise

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

Section 1. Section 17-166 of the election law is amended to read as follows:

S 17-166. Penalty. Any person convicted of a misdemeanor under this article shall BE CONVICTED OF A CLASS A MISDEMEANOR for a first offense [be punished] PUNISHABLE by A SENTENCE OF imprisonment for [not more than] UP TO one year, or by a fine of not less than one hundred dollars nor more than five hundred dollars, or by both such fine and imprisonment. Any person who, having been convicted of a misdemeanor under this article, shall thereafter be convicted of another misdemeanor under this article, shall be guilty of a CLASS D felony, AND FOR ANY SUBSEQUENT MISDEMEANOR OFFENSE UNDER THIS ARTICLE, A CLASS B FELONY.

ANY PERSON CONVICTED OF A FELONY UNDER THIS ARTICLE SHALL BE CONVICTED OF A CLASS D FELONY FOR A FIRST OFFENSE AND FOR ANY SUBSEQUENT FELONY OFFENSE UNDER THIS ARTICLE, A CLASS B 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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