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I N S E N A T E

January 20, 2010

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Introduced by Sen. O. JOHNSON -- 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 including the unlicensed operation of a motor vehicle within the crime of vehicular manslaughter in the second degree

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

1 Section 1. Subdivision 1 of section 125.12 of the penal law, as  
2 amended by chapter 732 of the laws of 2006, is amended to read as  
3 follows:

4 (1) operates a motor vehicle in violation of subdivision two, three,  
5 four or four-a of section eleven hundred ninety-two of the vehicle and  
6 traffic law or OPERATES A MOTOR VEHICLE IN VIOLATION OF SECTION FIVE  
7 HUNDRED ELEVEN OF THE VEHICLE AND TRAFFIC LAW OR operates a vessel or  
8 public vessel in violation of paragraph (b), (c), (d) or (e) of subdivi-  
9 sion two of section forty-nine-a of the navigation law, and as a result  
10 of such intoxication or impairment by the use of a drug, or by the  
11 combined influence of drugs or of alcohol and any drug or drugs, oper-  
12 ates such motor vehicle, vessel or public vessel in a manner that causes  
13 the death of such other person, or

14 S 2. This act shall take effect on the first of November next succeed-  
15 ing 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.

LBD11861-01-9