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

4414

2011-2012 Regular Sessions

I N A S S E M B L Y

February 3, 2011

Introduced by M. of A. P. RIVERA -- Multi-Sponsored by -- M. of A. GALEF, MAGEE, PHEFFER, SWEENEY -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to criminal possession of public assistance identification cards

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

Section 1. Section 165.55 of the penal law is amended by adding a new subdivision 5 to read as follows:

5. A PERSON WHO POSSESSES TWO OR MORE STOLEN PUBLIC ASSISTANCE IDENTIFICATION CARDS IS PRESUMED TO KNOW THAT SUCH PUBLIC ASSISTANCE IDENTIFICATION CARDS WERE STOLEN.

S 2. Section 170.27 of the penal law, as amended by chapter 556 of the laws of 1987, is amended to read as follows:

S 170.27 Criminal possession of a forged instrument in the second degree; presumption.

1. A person who possesses two or more forged instruments, each of which purports to be a credit card or debit card, as those terms are defined in subdivisions seven and seven-a of section 155.00 OF THIS CHAPTER, is presumed to possess the same with knowledge that they are forged and with intent to defraud, deceive or injure another.

2. A PERSON WHO POSSESSES TWO OR MORE FORGED INSTRUMENTS, EACH OF WHICH PURPORTS TO BE A PUBLIC ASSISTANCE IDENTIFICATION CARD, AS DEFINED IN SUBDIVISION NINE OF SECTION ONE HUNDRED THIRTY-ONE OF THE SOCIAL SERVICES LAW, IS PRESUMED TO POSSESS THE SAME WITH KNOWLEDGE THAT THEY ARE FORGED AND WITH INTENT TO DEFRAUD, DECEIVE OR INJURE ANOTHER.

S 3. 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.

LBD00434-01-1