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

6872

2011-2012 Regular Sessions

I N A S S E M B L Y

April 5, 2011

Introduced by M. of A. LAVINE, BING -- read once and referred to the Committee on Banks

AN ACT to amend the banking law and the penal law, in relation to increasing the penalty for robbery of property from a bank

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

Section 1. Subdivision 2 of section 592 of the banking law, as amended by chapter 472 of the laws of 2008, is amended to read as follows:

2. The superintendent may refuse to issue a license pursuant to this article if he or she shall find that the applicant, or any person who is a director, officer, partner, agent, employee, substantial stockholder of the applicant, consultant or person having a relationship with the applicant similar to a consultant, (a) has been convicted of a crime involving an activity which is a felony under this chapter or under article one hundred fifty-five, one hundred seventy, one hundred seventy-five, one hundred seventy-six, one hundred eighty, one hundred eighty-five, one hundred eighty-seven, one hundred ninety, two hundred, two hundred ten or four hundred seventy, OR SUBDIVISION FOUR OF SECTION 160.10 of the penal law or any comparable felony under the laws of any other state or the United States, provided that such crime would be a felony if committed and prosecuted under the laws of this state or (b) has had a license or registration revoked by the superintendent or (c) has been a director, partner, or substantial stockholder of an entity which has had a license or registration revoked by the superintendent or (d) has been an agent, employee or officer of an entity, or a consultant to, or person having had a similar relationship with, any entity which has had a license or registration revoked by the superintendent where such person shall have been found by the superintendent to bear responsibility in connection with the revocation. The term "substantial stockholder", as used in this subdivision, shall be deemed to refer to a

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD09146-02-1

person owning or controlling directly or indirectly ten per centum or more of the total outstanding stock of a corporation.

S 2. Subdivision 2 of section 592-a of the banking law, as amended by chapter 472 of the laws of 2008, is amended to read as follows:

2. The superintendent may refuse to issue a certificate pursuant to this article if he or she shall find that the applicant, or any person who is a director, officer, partner, agent, employee, substantial stockholder of the applicant, consultant or person having a relationship with the applicant similar to a consultant, (a) has been convicted of a crime involving an activity which is a felony under this chapter or under article one hundred fifty-five, one hundred seventy, one hundred seventy-five, one hundred seventy-six, one hundred eighty, one hundred eighty-five, one hundred eighty-seven, one hundred ninety, two hundred, two hundred ten or four hundred seventy, OR SUBDIVISION FOUR OF SECTION 160.10 of the penal law or any comparable felony under the laws of any other state or the United States, provided that such crime would be a felony if committed and prosecuted under the laws of this state or (b) has had a license or registration revoked by the superintendent or (c) has been a director, partner, or substantial stockholder of an entity which has had a license or registration revoked by the superintendent or (d) has been an agent, employee or officer of an entity, or a consultant to, or person having had a similar relationship with, any entity which has had a license or registration revoked by the superintendent where such person shall have been found by the superintendent to bear responsibility in connection with the revocation. The term "substantial stockholder", as used in this subdivision, shall be deemed to refer to a person owning or controlling directly or indirectly ten per centum or more of the total outstanding stock of a corporation.

S 3. Subdivision 3 of section 160.10 of the penal law, as added by chapter 308 of the laws of 1995, is amended and a new subdivision 4 is added to read as follows:

3. The property consists of a motor vehicle, as defined in section one hundred twenty-five of the vehicle and traffic law[.]; OR

4. THE PROPERTY IS STOLEN FROM A BANK, TRUST COMPANY, SAVINGS BANK, SAFE DEPOSIT COMPANY, SAVINGS AND LOAN ASSOCIATION OR CREDIT UNION, AS SUCH TERMS ARE DEFINED IN SECTION TWO OF THE BANKING LAW, OR FROM A FOREIGN BANKING CORPORATION LICENSED PURSUANT TO ARTICLE TWO OF THE BANKING LAW, OR FROM A BANK, TRUST COMPANY, SAVINGS BANK, SAVINGS AND LOAN ASSOCIATION, CREDIT UNION OR FOREIGN BANKING CORPORATION WHICH IS INCORPORATED, CHARTERED, ORGANIZED OR LICENSED UNDER THE LAWS OF ANY OTHER STATE OR THE UNITED STATES AND WHICH MAINTAINS BRANCH OFFICES IN THIS STATE.

S 4. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.