

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

9403--B

I N A S S E M B L Y

February 28, 2012

Introduced by M. of A. MOYA -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to forged instruments and the sale thereof

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

1 Section 1. Section 170.00 of the penal law is amended by adding a new
2 subdivision 9 to read as follows:
3 9. "SELL" MEANS TO SELL TO ANOTHER FOR CONSIDERATION.
4 S 2. The penal law is amended by adding three new sections 170.36,
5 170.37 and 170.38 to read as follows:
6 S 170.36 CRIMINAL SALE OF A FORGED INSTRUMENT IN THE THIRD DEGREE.
7 A PERSON IS GUILTY OF CRIMINAL SALE OF A FORGED INSTRUMENT IN THE
8 THIRD DEGREE WHEN, WITH KNOWLEDGE THAT IT IS FORGED AND WITH INTENT TO
9 DEFRAUD, DECEIVE OR INJURE ANOTHER, HE OR SHE SELLS A FORGED INSTRUMENT.
10 CRIMINAL SALE OF A FORGED INSTRUMENT IN THE THIRD DEGREE IS A CLASS A
11 MISDEMEANOR.
12 S 170.37 CRIMINAL SALE OF A FORGED INSTRUMENT IN THE SECOND DEGREE.
13 A PERSON IS GUILTY OF CRIMINAL SALE OF A FORGED INSTRUMENT IN THE
14 SECOND DEGREE WHEN, WITH KNOWLEDGE THAT IT IS FORGED AND WITH INTENT TO
15 DEFRAUD, DECEIVE OR INJURE ANOTHER, HE OR SHE SELLS ANY FORGED INSTRUMENT OF A KIND SPECIFIED IN SECTION 170.10 OF THIS ARTICLE.
16 CRIMINAL SALE OF A FORGED INSTRUMENT IN THE SECOND DEGREE IS A CLASS D
17 FELONY.
18 S 170.38 CRIMINAL SALE OF A FORGED INSTRUMENT IN THE FIRST DEGREE.
19 A PERSON IS GUILTY OF CRIMINAL SALE OF A FORGED INSTRUMENT IN THE
20 FIRST DEGREE WHEN, WITH KNOWLEDGE THAT IT IS FORGED AND WITH INTENT TO
21 DEFRAUD, DECEIVE OR INJURE ANOTHER, HE OR SHE SELLS ANY FORGED INSTRUMENT OF A KIND SPECIFIED IN SECTION 170.15 OF THIS ARTICLE.
22 CRIMINAL SALE OF A FORGED INSTRUMENT IN THE FIRST DEGREE IS A CLASS C
23 FELONY.
24 S 3. This act shall take effect on the ninetieth day after it shall
25 have become a law.
26
27

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

LBD14045-05-2