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

2127

2011-2012 Regular Sessions

I N S E N A T E

January 18, 2011

Introduced by Sen. KRUGER -- 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 establishing criminal negligence for individuals who violate or assist in the violation of any provision of the multiple dwelling law where such violation has resulted in the death of another; and to amend the multiple dwelling law, in relation to increasing the penalties for persons who violate or assist in the violation of any provision of the multiple dwelling law where such violation has resulted in serious physical injury

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

Section 1. The first undesignated paragraph of section 125.10 of the penal law is amended to read as follows:

A person is guilty of criminally negligent homicide when[,]:

1. with criminal negligence, he OR SHE causes the death of another person; OR

2. A PERSON VIOLATES OR ASSISTS IN THE VIOLATION OF ANY PROVISION OF THE MULTIPLE DWELLING LAW AND SUCH VIOLATION HAS RESULTED IN THE DEATH OF ANOTHER.

S 2. Section 304 of the multiple dwelling law is amended by adding a new subdivision 1-b to read as follows:

1-B. EVERY PERSON WHO SHALL VIOLATE OR ASSIST IN THE VIOLATION OF ANY PROVISION OF THIS CHAPTER AND WHERE SUCH VIOLATION CREATES SERIOUS PHYSICAL INJURY TO ANOTHER PERSON SHALL BE GUILTY OF A MISDEMEANOR PUNISHABLE BY A FINE NOT EXCEEDING TWO THOUSAND DOLLARS OR BY IMPRISONMENT FOR A PERIOD NOT EXCEEDING ONE YEAR, OR BY BOTH SUCH FINE AND IMPRISONMENT.

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.

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