

6292--A

Cal. No. 968

I N   S E N A T E

January 20, 2012

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Introduced by Sen. PERALTA -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- committee discharged and said bill committed to the Committee on Rules -- reported favorably from said committee, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

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 INSTRU-  
16    MENT OF A KIND SPECIFIED IN SECTION 170.10 OF THIS ARTICLE.  
17    CRIMINAL SALE OF A FORGED INSTRUMENT IN THE SECOND DEGREE IS A CLASS D  
18    FELONY.  
19    S 170.38 CRIMINAL SALE OF A FORGED INSTRUMENT IN THE FIRST DEGREE.  
20    A PERSON IS GUILTY OF CRIMINAL SALE OF A FORGED INSTRUMENT IN THE  
21    FIRST DEGREE WHEN, WITH KNOWLEDGE THAT IT IS FORGED AND WITH INTENT TO  
22    DEFRAUD, DECEIVE OR INJURE ANOTHER, HE OR SHE SELLS ANY FORGED INSTRU-  
23    MENT OF A KIND SPECIFIED IN SECTION 170.15 OF THIS ARTICLE.

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

LBD14045-06-2

1       CRIMINAL SALE OF A FORGED INSTRUMENT IN THE FIRST DEGREE IS A CLASS C  
2 FELONY.  
3       S 3. This act shall take effect on the ninetieth day after it shall  
4 have become a law.