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

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I N A S S E M B L Y

February 12, 2014

Introduced by M. of A. SCHIMMINGER, GUNTHER, JAFFEE, OTIS, ROSA, SIMOTAS, ENGLEBRIGHT, CLARK, COOK -- Multi-Sponsored by -- M. of A. JACOBS, MAGEE, MARKEY, PEOPLES-STOKES, PERRY, SKARTADOS, STECK, SWEENEY, THIELE -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the definition of mentally disabled

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

Section 1. Section 155.00 of the penal law is amended by adding a new subdivision 10 to read as follows:

10. "MENTALLY DISABLED" MEANS THAT A PERSON SUFFERS FROM A MENTAL DISEASE, DEFECT OR CONDITION WHICH RENDERS HIM OR HER INCAPABLE OF APPRAISING THE NATURE OF THE CONDUCT CONSTITUTING THE TAKING, OBTAINING OR WITHHOLDING OF HIS OR HER PROPERTY.

S 2. This act shall take effect immediately.

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

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