

756--A

Cal. No. 786

2013-2014 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 9, 2013

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Introduced by M. of A. WEPRIN, MOSLEY, OTIS, SKARTADOS, WALTER, GRAF, CURRAN, BUCHWALD -- Multi-Sponsored by -- M. of A. ABBATE, ABINANTI, ARROYO, BARCLAY, BRENNAN, CERETTO, CLARK, COLTON, COOK, CROUCH, DINOWITZ, DUPREY, FINCH, GALEF, GIGLIO, GOODELL, GUNTHER, HAWLEY, HIKIND, HOOPER, KEARNS, LALOR, LAVINE, LUPINACCI, MAGEE, MALLIOTAKIS, McDOUGHER, McKEVITT, McLAUGHLIN, MONTESANO, NOLAN, OAKS, PALMESANO, PERRY, RAIA, RIVERA, ROBERTS, ROBINSON, SALADINO, SCARBOROUGH, SCHIMEL, SIMANOWITZ, SOLAGES, SWEENEY, TENNEY, TITONE, TITUS, WEISENBERG -- read once and referred to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Assembly Rule 3, sec. 2 -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the penal law, in relation to staging a motor vehicle accident

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

1     Section 1. This act shall be known and may be cited as "Alice's Law".  
2     S 2. The penal law is amended by adding two new sections 176.75 and  
3     176.80 to read as follows:  
4     S 176.75 STAGING A MOTOR VEHICLE ACCIDENT IN THE SECOND DEGREE.  
5     A PERSON IS GUILTY OF STAGING A MOTOR VEHICLE ACCIDENT IN THE SECOND  
6     DEGREE WHEN, WITH INTENT TO COMMIT AND IN FURTHERANCE OF A FRAUDULENT  
7     INSURANCE ACT, HE OR SHE OPERATES A MOTOR VEHICLE AND INTENTIONALLY  
8     CAUSES A COLLISION INVOLVING A MOTOR VEHICLE.  
9     STAGING A MOTOR VEHICLE ACCIDENT IN THE SECOND DEGREE IS A CLASS E  
10    FELONY.  
11    S 176.80 STAGING A MOTOR VEHICLE ACCIDENT IN THE FIRST DEGREE.  
12    A PERSON IS GUILTY OF STAGING A MOTOR VEHICLE ACCIDENT IN THE FIRST  
13    DEGREE WHEN HE OR SHE COMMITS THE OFFENSE OF STAGING A MOTOR VEHICLE

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

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1 ACCIDENT IN THE THIRD DEGREE AND THEREBY CAUSES SERIOUS PERSONAL INJURY  
2 OR DEATH TO ANOTHER PERSON, OTHER THAN A PARTICIPANT IN SUCH OFFENSE.  
3 STAGING A MOTOR VEHICLE ACCIDENT IN THE FIRST DEGREE IS A CLASS D  
4 FELONY.

5 S 3. This act shall take effect on the first of November next succeed-  
6 ing the date on which it shall have become a law.