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

756--A

Cal. No. 786

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

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, McDONOUGH, 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:

Section 1. This act shall be known and may be cited as "Alice's Law".

S 2. The penal law is amended by adding two new sections 176.75 and 176.80 to read as follows:

S 176.75 STAGING A MOTOR VEHICLE ACCIDENT IN THE SECOND DEGREE.

A PERSON IS GUILTY OF STAGING A MOTOR VEHICLE ACCIDENT IN THE SECOND DEGREE WHEN, WITH INTENT TO COMMIT AND IN FURTHERANCE OF A FRAUDULENT INSURANCE ACT, HE OR SHE OPERATES A MOTOR VEHICLE AND INTENTIONALLY CAUSES A COLLISION INVOLVING A MOTOR VEHICLE.

STAGING A MOTOR VEHICLE ACCIDENT IN THE SECOND DEGREE IS A CLASS E FELONY.

S 176.80 STAGING A MOTOR VEHICLE ACCIDENT IN THE FIRST DEGREE.

A PERSON IS GUILTY OF STAGING A MOTOR VEHICLE ACCIDENT IN THE FIRST 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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ACCIDENT IN THE THIRD DEGREE AND THEREBY CAUSES SERIOUS PERSONAL INJURY OR DEATH TO ANOTHER PERSON, OTHER THAN A PARTICIPANT IN SUCH OFFENSE.

STAGING A MOTOR VEHICLE ACCIDENT IN THE FIRST DEGREE IS A CLASS D FELONY.

S 3. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.