

2015-2016 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2015

Introduced by M. of A. CYMBROWITZ -- Multi-Sponsored by -- M. of A. MAGEE -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to identity theft and related crimes

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

- 1 Section 1. The closing paragraph of section 190.23 of the penal law,
2 as added by chapter 69 of the laws of 1997, is amended to read as
3 follows:
4 False personation is a class [B] A misdemeanor.
5 S 2. The closing paragraph of section 190.25 of the penal law, as
6 amended by chapter 27 of the laws of 1980, is amended to read as
7 follows:
8 Criminal impersonation in the second degree is a class [A misdemeanor]
9 E FELONY.
10 S 3. The closing paragraph of section 190.26 of the penal law, as
11 amended by chapter 2 of the laws of 1998, is amended to read as follows:
12 Criminal impersonation in the first degree is a class [E] D felony.
13 S 4. The closing paragraph of section 190.78 of the penal law, as
14 added by chapter 619 of the laws of 2002, is amended to read as follows:
15 Identity theft in the third degree is a class [A misdemeanor] E
16 FELONY.
17 S 5. The closing paragraph of section 190.79 of the penal law, as
18 added by chapter 619 of the laws of 2002, is amended to read as follows:
19 Identity theft in the second degree is a class [E] D felony.
20 S 6. The closing paragraph of section 190.80 of the penal law, as
21 added by chapter 619 of the laws of 2002, is amended to read as follows:
22 Identity theft in the first degree is a class [D] C felony.
23 S 7. The closing paragraph of section 190.85 of the penal law, as
24 added by chapter 279 of the laws of 2008, is amended to read as follows:

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

LBD02338-02-5

1 Unlawful possession of a skimmer device in the second degree is a
2 class [A misdemeanor] E FELONY.

3 S 8. The second undesignated paragraph of section 190.86 of the penal
4 law, as added by chapter 279 of the laws of 2008, is amended to read as
5 follows:

6 Unlawful possession of a skimmer device in the first degree is a class
7 [E] D felony.

8 S 9. The closing paragraph of section 190.80-a of the penal law, as
9 added by chapter 226 of the laws of 2008, is amended to read as follows:
10 Aggravated identity theft is a class [D] C felony.

11 S 10. The closing paragraph of section 190.81 of the penal law, as
12 added by chapter 619 of the laws of 2002, is amended to read as follows:

13 Unlawful possession of personal identification information in the
14 third degree is a class [A misdemeanor] E FELONY.

15 S 11. The closing paragraph of section 190.82 of the penal law, as
16 added by chapter 619 of the laws of 2002, is amended to read as follows:

17 Unlawful possession of personal identification information in the
18 second degree is a class [E] D felony.

19 S 12. The closing paragraph of section 190.83 of the penal law, as
20 amended by chapter 226 of the laws of 2008, is amended to read as
21 follows:

22 Unlawful possession of personal identification information in the
23 first degree is a class [D] C felony.

24 S 13. This act shall take effect on the first of November next
25 succeeding the date on which it shall have become a law and shall apply
26 only to offenses committed on or after such date.