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

6523

2015-2016 Regular Sessions

I N A S S E M B L Y

March 26, 2015

Introduced by M. of A. SKOUFIS -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to enacting "Dillon's law"

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 "Dillon's law".

S 2. The penal law is amended by adding five new sections 125.65, 125.70, 125.75, 125.80 and 125.85 to read as follows:

S 125.65 DRUG-INDUCED HOMICIDE IN THE FIFTH DEGREE.

1. A PERSON IS GUILTY OF DRUG-INDUCED HOMICIDE IN THE FIFTH DEGREE WHEN HE OR SHE GIVES OR SELLS A CONTROLLED SUBSTANCE AS DEFINED IN SECTION 220.00, TO ANOTHER PERSON, WHO IS OVER THE AGE OF EIGHTEEN, AND SUCH PERSON DIES AS A RESULT OF USING OR INGESTING SUCH SUBSTANCE; AND

2. IS CHARGED WITH A CRIME, DESCRIBED IN ARTICLES TWO HUNDRED TWENTY AND TWO HUNDRED TWENTY-ONE, THAT CONSTITUTES A CLASS B MISDEMEANOR.

DRUG-INDUCED HOMICIDE IN THE FIFTH DEGREE IS A CLASS E FELONY.

S 125.70 DRUG-INDUCED HOMICIDE IN THE FOURTH DEGREE.

1. A PERSON IS GUILTY OF DRUG-INDUCED HOMICIDE IN THE FOURTH DEGREE WHEN HE OR SHE GIVES OR SELLS A CONTROLLED SUBSTANCE AS DEFINED IN SECTION 220.00, TO ANOTHER PERSON, WHO IS OVER THE AGE OF EIGHTEEN, AND SUCH PERSON DIES AS A RESULT OF USING OR INGESTING SUCH SUBSTANCE; AND

2. IS CHARGED WITH A CRIME, DESCRIBED IN ARTICLES TWO HUNDRED TWENTY AND TWO HUNDRED TWENTY-ONE, THAT CONSTITUTES A CLASS A MISDEMEANOR.

DRUG-INDUCED HOMICIDE IN THE FOURTH DEGREE IS A CLASS D FELONY.

S 125.75 DRUG-INDUCED HOMICIDE IN THE THIRD DEGREE.

1. A PERSON IS GUILTY OF DRUG-INDUCED HOMICIDE IN THE THIRD DEGREE WHEN HE OR SHE GIVES OR SELLS A CONTROLLED SUBSTANCE AS DEFINED IN SECTION 220.00, TO ANOTHER PERSON, WHO IS OVER THE AGE OF EIGHTEEN, AND SUCH PERSON DIES AS A RESULT OF USING OR INGESTING SUCH SUBSTANCE; AND

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

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2. IS CHARGED WITH A CRIME, DESCRIBED IN ARTICLES TWO HUNDRED TWENTY AND TWO HUNDRED TWENTY-ONE, THAT CONSTITUTES A CLASS E FELONY.

DRUG-INDUCED HOMICIDE IN THE THIRD DEGREE IS A CLASS C FELONY.

S 125.80 DRUG-INDUCED HOMICIDE IN THE SECOND DEGREE.

1. A PERSON IS GUILTY OF DRUG-INDUCED HOMICIDE IN THE SECOND DEGREE WHEN HE OR SHE GIVES OR SELLS A CONTROLLED SUBSTANCE AS DEFINED IN SECTION 220.00, TO ANOTHER PERSON, WHO IS OVER THE AGE OF EIGHTEEN, AND SUCH PERSON DIES AS A RESULT OF USING OR INGESTING SUCH SUBSTANCE; AND

2. IS CHARGED WITH A CRIME, DESCRIBED IN ARTICLES TWO HUNDRED TWENTY AND TWO HUNDRED TWENTY-ONE, THAT CONSTITUTES A CLASS D FELONY.

DRUG-INDUCED HOMICIDE IN THE SECOND DEGREE IS A CLASS B FELONY.

S 125.85 DRUG-INDUCED HOMICIDE IN THE FIRST DEGREE.

1. A PERSON IS GUILTY OF DRUG-INDUCED HOMICIDE IN THE FIRST DEGREE WHEN HE OR SHE GIVES OR SELLS A CONTROLLED SUBSTANCE AS DEFINED IN SECTION 220.00, TO ANOTHER PERSON, WHO IS OVER THE AGE OF EIGHTEEN, AND SUCH PERSON DIES AS A RESULT OF USING OR INGESTING SUCH SUBSTANCE; AND

2. IS CHARGED WITH A CRIME, DESCRIBED IN ARTICLES TWO HUNDRED TWENTY AND TWO HUNDRED TWENTY-ONE, THAT CONSTITUTES A CLASS C, CLASS B OR CLASS A FELONY.

3. A PERSON IS GUILTY OF DRUG-INDUCED HOMICIDE IN THE FIRST DEGREE WHEN HE OR SHE GIVES OR SELLS A CONTROLLED SUBSTANCE AS DEFINED IN SECTION 220.00 TO A MINOR, AND SUCH MINOR DIES AS A RESULT OR USING OR INGESTING SUCH SUBSTANCE.

DRUG-INDUCED HOMICIDE IN THE FIRST DEGREE IS A CLASS A FELONY.

S 3. This act shall take effect immediately.