

889--A

2015-2016 Regular Sessions

I N S E N A T E

January 7, 2015

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to establishing the crime of illegal conversion or alteration of real property

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

1 Section 1. The penal law is amended by adding two new sections 145.75
2 and 145.80 to read as follows:
3 S 145.75 DEFINITION; CONVERSION OR ALTERATION OF REAL PROPERTY.
4 FOR PURPOSES OF SECTION 145.80 OF THIS ARTICLE, "CONVERSION OR ALTER-
5 ATION" SHALL MEAN ANY CHANGE IN THE STRUCTURAL PARTS OR EXISTING FACILI-
6 TIES OF ANY BUILDING, INCLUDING, BUT NOT LIMITED TO, THE SUBDIVISION OF
7 ROOMS, OR ERECTION OR DEMOLITION OF WALLS, OR THE MOVING OF ANY BUILDING
8 FROM ONE LOCATION OR POSITION TO ANOTHER.
9 S 145.80 ILLEGAL CONVERSION OR ALTERATION OF REAL PROPERTY.
10 A PERSON IS GUILTY OF ILLEGAL CONVERSION OR ALTERATION OF REAL PROPER-
11 TY WHEN:
12 1. (A) HE OR SHE IS THE OWNER OR MANAGER OF REAL PROPERTY AND KNOWING-
13 LY PARTICIPATED OR AUTHORIZED THE ILLEGAL ALTERATION OR CONVERSION OF
14 SUCH PROPERTY IN VIOLATION OF ANY STATE OR LOCAL LAW, ORDINANCE, CODE OR
15 RULE OR REGULATION RELATING TO REAL PROPERTY, BUILDINGS OR MULTIPLE
16 DWELLINGS; OR
17 (B) HE OR SHE IS A TENANT OF REAL PROPERTY AND MAKES AN ILLEGAL
18 CONVERSION OR ALTERATION OF SUCH PROPERTY WITHOUT THE KNOWLEDGE OF THE
19 OWNER THEREOF, AND SUCH ALTERATION OR CONVERSION OF THE REAL PROPERTY
20 WAS IN VIOLATION OF ANY STATE OR LOCAL LAW, ORDINANCE, CODE OR RULE OR
21 REGULATION RELATING TO REAL PROPERTY, BUILDINGS OR MULTIPLE DWELLINGS;
22 AND

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

LBD00410-04-5

1 2. THE ALTERATION OR CONVERSION CAUSES A SERIOUS PHYSICAL INJURY TO
2 ANOTHER PERSON.
3 ILLEGAL CONVERSION OR ALTERATION OF REAL PROPERTY IS A CLASS C FELONY.
4 S 2. This act shall take effect on the first of November next succeed-
5 ing the date on which it shall have become a law.