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

2099

2015-2016 Regular Sessions

I N A S S E M B L Y

January 15, 2015

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

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 A FRAUDULENT INSURANCE ACT, HE OR SHE:

(1) OPERATES A MOTOR VEHICLE AND INTENTIONALLY CAUSES OR ATTEMPTS TO CAUSE A COLLISION INVOLVING A MOTOR VEHICLE; OR

(2) SOLICITS, REQUESTS, COMMANDS, IMPORTUNES OR OTHERWISE ATTEMPTS TO CAUSE ANOTHER PERSON TO INTENTIONALLY CAUSE 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 ACCIDENT IN THE SECOND DEGREE AND 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.

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

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