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

6340

2015-2016 Regular Sessions

I N A S S E M B L Y

March 20, 2015

Introduced by M. of A. O'DONNELL, WEPRIN, AUBRY -- Multi-Sponsored by -- M. of A. FAHY, PERRY -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to enacting the "domestic violence escalation prevention act"

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

Section 1. Short title. This act shall be known and may be cited as the "domestic violence escalation prevention act".

S 2. Subdivision 17 of section 265.00 of the penal law is amended by adding a new paragraph (c) to read as follows:

(C) AN OFFENSE SET FORTH IN SECTION 370.15 OF THE CRIMINAL PROCEDURE LAW IN WHICH THE COURT MAKES A SPECIFIC WRITTEN DETERMINATION THAT THE DEFENDANT IS RELATED OR SITUATED TO THE VICTIM OF THE CRIME IN THE MANNER SPECIFIED IN 18 U.S.C. 921(A)(33)(A)(II) AS PROVIDED IN SECTION 370.15 OF THE CRIMINAL PROCEDURE LAW, PROVIDED, HOWEVER THAT NO SUCH WRITTEN DETERMINATION SHALL BE REQUIRED FOR AN OFFENSE INCLUDED IN PARAGRAPHS (A) OR (B) OF THIS SUBDIVISION.

S 3. This act shall take effect immediately.

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

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