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

6213

I N S E N A T E

(PREFILED)

January 6, 2016

Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to reckless endangerment in the first degree

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

Section 1. Section 120.25 of the penal law is amended to read as follows:

S 120.25 Reckless endangerment in the first degree.

A person is guilty of reckless endangerment in the first degree when, under circumstances evincing a depraved indifference to human life, he recklessly engages in conduct which creates a grave risk of death to another person. FOR THE PURPOSES OF THIS SECTION, IT IS DEEMED TO BE A CIRCUMSTANCE EVINCING A DEPRAVED INDIFFERENCE TO HUMAN LIFE WHEN IN A CITY WITH A POPULATION OF ONE MILLION OR MORE A PERSON LEAPS FROM A BUILDING FROM THE FIFTH STORY OR HIGHER, OR FROM ANY BRIDGE OR OTHER STRUCTURE AT A HEIGHT OF FIFTY FEET OR GREATER, WITHOUT THE WRITTEN PERMISSION FROM BOTH THE OWNER AND THE CITY. FOR PURPOSES OF THIS SECTION, WRITTEN PERMISSION FROM THE CITY SHALL MEAN AND INCLUDE A RESOLUTION OR LOCAL LAW APPROVED BY THE CITY COUNCIL, OR A PERMIT, LICENSE OR WRITTEN INSTRUMENT VALIDLY ISSUED GRANTING SUCH PERMISSION FROM THE OFFICE OF THE MAYOR OF SUCH CITY, FOR WHICH THE CITY MAY CHARGE A FEE.

Reckless endangerment in the first degree is a class D felony.

S 2. This act shall take effect on the thirtieth day after 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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