STATE OF NEW YORK

10574

IN ASSEMBLY

May 7, 2018

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

AN ACT to amend the penal law, in relation to theft of services from barbershops, salons and beauty shops

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The closing paragraph of section 165.15 of the penal law, as amended by chapter 491 of the laws of 1992, is amended and a new subdivision 12 is added to read as follows:

12. With intent to avoid payment for services rendered by a barbershop, salon or beauty shop, he or she avoids or attempts to avoid such payment by unjustifiable failure or refusal to pay, by stealth, or by any misrepresentation of fact which he or she knows to be false.

Theft of services is a class A misdemeanor, provided, however, that theft of cable television service as defined by the provisions of paragraphs (a), (c) and (d) of subdivision four of this section, and having a value not in excess of one hundred dollars by a person who has not been previously convicted of theft of services under subdivision four of this section is a violation, that theft of services under subdivision nine of this section by a person who has not been previously convicted of theft of services under subdivision nine of this section is a violation**, that theft of services under subdivision twelve of this section by a person who has not previously been convicted of theft of services under subdivision twelve of this section is a violation,** and provided further, however, that theft of services of any telephone service under paragraph (a) or (b) of subdivision five of this section having a value in excess of one thousand dollars or by a person who has been previously convicted within five years of theft of services under paragraph (a) of subdivision five of this section is a class E felony.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

LBD09327-04-8