

STATE OF NEW YORK

6022

2017-2018 Regular Sessions

IN SENATE

May 10, 2017

Introduced by Sen. SERINO -- 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 acts of larceny committed against a mentally disabled person

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

1 Section 1. Section 155.00 of the penal law is amended by adding a new
2 subdivision 10 to read as follows:

3 10. "Mentally disabled" means that a person suffers from a mental
4 disease, defect or condition which renders him or her incapable of
5 appraising the nature of the conduct constituting the taking, obtaining,
6 or withholding of his or her property.

7 § 2. Subdivision 1 of section 155.05 of the penal law is amended to
8 read as follows:

9 1. A person steals property and commits larceny when, with intent to
10 deprive another of property or to appropriate the same to himself or to
11 a third person, he wrongfully takes, obtains or withholds such property
12 from an owner thereof. Such conduct includes, but is not limited to the
13 wrongful taking, obtaining or withholding of property by a person who
14 knows or has reason to know that the owner is a mentally disabled
15 person.

16 § 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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