

STATE OF NEW YORK

10894

IN ASSEMBLY

May 25, 2018

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

AN ACT to amend the penal law, in relation to the unlawful wearing of a body vest

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

1 Section 1. Subdivision 1 of section 270.20 of the penal law, as
2 amended by chapter 317 of the laws of 2001, is amended to read as
3 follows:

4 1. A person is guilty of the unlawful wearing of a body vest when
5 acting either alone or with one or more other persons he or she commits
6 any [~~violent felony offense defined in section 70.02~~] misdemeanor or
7 felony defined in this chapter while possessing a [~~firearm, rifle or~~
8 ~~shotgun~~] deadly weapon defined in section 10.00 of this chapter and in
9 the course of and in furtherance of such crime he or she wears a body
10 vest.

11 § 2. Section 70.25 of the penal law is amended by adding a new subdi-
12 vision 2-h to read as follows:

13 2-h. Whenever a person is convicted of unlawful wearing of a body vest
14 as defined in section 270.20 of this chapter, the sentence imposed by
15 the court for such offense shall run consecutively to any sentence
16 imposed upon conviction of a misdemeanor or felony offense defined in
17 this chapter arising from the same criminal transaction.

18 § 3. This act shall take effect on the sixtieth day after it shall
19 have become a law.

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

LBD05705-01-7