

STATE OF NEW YORK

4761--A

2017-2018 Regular Sessions

IN ASSEMBLY

February 3, 2017

Introduced by M. of A. KEARNS, HARRIS -- Multi-Sponsored by -- M. of A. GIGLIO, HYNDMAN -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

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

8 Theft of services is a class A misdemeanor, provided, however, that
9 theft of cable television service as defined by the provisions of para-
10 graphs (a), (c) and (d) of subdivision four of this section, and having
11 a value not in excess of one hundred dollars by a person who has not
12 been previously convicted of theft of services under subdivision four of
13 this section is a violation, that theft of services under subdivision
14 nine of this section by a person who has not been previously convicted
15 of theft of services under subdivision nine of this section is a
16 violation, that theft of services under subdivision twelve of this
17 section by a person who has not previously been convicted of theft of
18 services under subdivision twelve of this section is a violation, and
19 provided further, however, that theft of services of any telephone
20 service under paragraph (a) or (b) of subdivision five of this section
21 having a value in excess of one thousand dollars or by a person who has
22 been previously convicted within five years of theft of services under
23 paragraph (a) of subdivision five of this section is a class E felony.

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

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

LBD09327-03-7