STATE OF NEW YORK

421

2017-2018 Regular Sessions

IN SENATE

(Prefiled)

January 4, 2017

Introduced by Sens. SEWARD, AVELLA, O'MARA -- 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 staging a motor vehicle accident

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

Section 1. This act shall be known and may be cited as "Alice's Law".

§ 2. The penal law is amended by adding three new sections 176.75, 176.80 and 176.85 to read as follows:

§ 176.75 Staging a motor vehicle accident in the third degree.

A person is guilty of staging a motor vehicle accident in the third degree when, with intent to commit a fraudulent insurance act, he or she:

(1) operates a motor vehicle and intentionally causes or attempts to cause a collision involving a motor vehicle; or

(2) solicits, requests, commands, importunes or otherwise attempts to cause another person to intentionally cause a collision involving a motor vehicle.

Staging a motor vehicle accident in the third degree is a class D felony.

§ 176.80 Staging a motor vehicle accident in the second degree.

A person is guilty of staging a motor vehicle accident in the second degree when he or she commits the offense of staging a motor vehicle accident in the third degree, and has been previously convicted within the preceding five years of any crime defined in this article.

Staging a motor vehicle accident in the second degree is a class C felony.

§ 176.85 Staging a motor vehicle accident in the first degree.

A person is guilty of staging a motor vehicle accident in the first degree when he or she commits the offense of staging a motor vehicle

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

LBD04819-01-7

accident in the third degree and causes serious personal injury or death to another person, other than a participant in such offense.

Staging a motor vehicle accident in the first degree is a class B felony.

§ 3. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.