

# STATE OF NEW YORK

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4777

2017-2018 Regular Sessions

## IN SENATE

February 28, 2017

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Introduced by Sen. CARLUCCI -- 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 hate crimes

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

1 Section 1. Subdivision 3 of section 485.05 of the penal law, as  
2 amended by chapter 405 of the laws of 2010, is amended to read as  
3 follows:  
4 3. A "specified offense" is an offense defined by any of the following  
5 provisions of this chapter: section 120.00 (assault in the third  
6 degree); section 120.05 (assault in the second degree); section 120.10  
7 (assault in the first degree); section 120.12 (aggravated assault upon a  
8 person less than eleven years old); section 120.13 (menacing in the  
9 first degree); section 120.14 (menacing in the second degree); section  
10 120.15 (menacing in the third degree); section 120.20 (reckless endan-  
11 germent in the second degree); section 120.25 (reckless endangerment in  
12 the first degree); section 121.12 (strangulation in the second degree);  
13 section 121.13 (strangulation in the first degree); subdivision one of  
14 section 125.15 (manslaughter in the second degree); subdivision one, two  
15 or four of section 125.20 (manslaughter in the first degree); section  
16 125.25 (murder in the second degree); section 120.45 (stalking in the  
17 fourth degree); section 120.50 (stalking in the third degree); section  
18 120.55 (stalking in the second degree); section 120.60 (stalking in the  
19 first degree); subdivision one of section 130.35 (rape in the first  
20 degree); subdivision one of section 130.50 (criminal sexual act in the  
21 first degree); subdivision one of section 130.65 (sexual abuse in the  
22 first degree); paragraph (a) of subdivision one of section 130.67  
23 (aggravated sexual abuse in the second degree); paragraph (a) of subdi-  
24 vision one of section 130.70 (aggravated sexual abuse in the first  
25 degree); section 135.05 (unlawful imprisonment in the second degree);  
26 section 135.10 (unlawful imprisonment in the first degree); section

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

LBD10338-01-7

1 135.20 (kidnapping in the second degree); section 135.25 (kidnapping in  
2 the first degree); section 135.60 (coercion in the second degree);  
3 section 135.65 (coercion in the first degree); section 140.10 (criminal  
4 trespass in the third degree); section 140.15 (criminal trespass in the  
5 second degree); section 140.17 (criminal trespass in the first degree);  
6 section 140.20 (burglary in the third degree); section 140.25 (burglary  
7 in the second degree); section 140.30 (burglary in the first degree);  
8 section 145.00 (criminal mischief in the fourth degree); section 145.05  
9 (criminal mischief in the third degree); section 145.10 (criminal  
10 mischief in the second degree); section 145.12 (criminal mischief in the  
11 first degree); section 145.60 (making graffiti); section 150.05 (arson  
12 in the fourth degree); section 150.10 (arson in the third degree);  
13 section 150.15 (arson in the second degree); section 150.20 (arson in  
14 the first degree); section 155.25 (petit larceny); section 155.30 (grand  
15 larceny in the fourth degree); section 155.35 (grand larceny in the  
16 third degree); section 155.40 (grand larceny in the second degree);  
17 section 155.42 (grand larceny in the first degree); section 160.05  
18 (robbery in the third degree); section 160.10 (robbery in the second  
19 degree); section 160.15 (robbery in the first degree); section 240.25  
20 (harassment in the first degree); subdivision one, two or four of  
21 section 240.30 (aggravated harassment in the second degree); or any  
22 attempt or conspiracy to commit any of the foregoing offenses.  
23 § 2. This act shall take effect on the first of November next succeed-  
24 ing the date on which it shall have become a law.