

STATE OF NEW YORK

5707

2019-2020 Regular Sessions

IN ASSEMBLY

February 14, 2019

Introduced by M. of A. LAWRENCE, KOLB, BRABENEC -- Multi-Sponsored by --
M. of A. DiPIETRO -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the crime of resisting
arrest

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

Section 1. Section 205.30 of the penal law, as amended by chapter 843
of the laws of 1980, is amended to read as follows:

§ 205.30 Resisting arrest in the second degree.

A person is guilty of resisting arrest in the second degree when he or
she intentionally prevents or attempts to prevent a police officer or
peace officer from effecting an authorized arrest of himself, herself or
another person.

Resisting arrest in the second degree is a class A misdemeanor.

§ 2. The penal law is amended by adding a new section 205.35 to read
as follows:

§ 205.35 Resisting arrest in the first degree.

A person is guilty of resisting arrest in the first degree when he or
she commits the crime of resisting arrest in the second degree as
defined in section 205.30 of this article and has been previously
convicted within the preceding five years of resisting arrest in the
second degree as defined in section 205.30 of this article.

Resisting arrest in the first degree is a class E felony.

§ 3. This act shall take effect sixty days after it shall have become
a law.

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

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