

# STATE OF NEW YORK

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3488

2019-2020 Regular Sessions

## IN ASSEMBLY

January 29, 2019

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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 enacting "Todd's Law"

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 "Todd's Law".

3 § 2. The penal law is amended by adding a new section 155.46 to read  
4 as follows:

5 § 155.46 Sentencing; property of the elderly or disabled.

6 When a person is convicted of petit larceny or grand larceny pursuant  
7 to this article, and the property stolen is necessary for the perform-  
8 ance of activities of daily living by an incompetent or physically disa-  
9 bled person or a vulnerable elderly person as defined in section 260.31  
10 of this part, and the specified offense is a misdemeanor or a class C, D  
11 or E felony, the crime shall be deemed to be one category higher than  
12 the specified offense the defendant committed, or one category higher  
13 than the offense level applicable to the defendant's conviction for an  
14 attempt or conspiracy to commit a specified offense, whichever is appli-  
15 cable.

16 § 3. This act shall take effect immediately.

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

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