STATE OF NEW YORK

237

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sen. HOYLMAN -- 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 commercial bribing

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

Section 1. Section 180.03 of the penal law, as amended by chapter 577 of the laws of 1983, is amended to read as follows:

§ 180.03 Commercial bribing in the first degree.

A person is guilty of commercial bribing in the first degree when he **or she** confers, or offers or agrees to confer, any benefit upon any employee, agent or fiduciary without the consent of the latter's employer or principal, with intent to influence his **or her** conduct in relation to his **or her** employer's or principal's affairs, and when the value of the benefit conferred or offered or agreed to be conferred exceeds one thousand dollars [~~and causes economic harm to the employer or principal in an amount exceeding two hundred fifty dollars~~].

Commercial bribing in the first degree is a class E felony.

§ 2. Section 180.08 of the penal law, as amended by chapter 577 of the laws of 1983, is amended to read as follows:

§ 180.08 Commercial bribe receiving in the first degree.

An employee, agent or fiduciary is guilty of commercial bribe receiving in the first degree when, without the consent of his **or her** employer or principal, he **or she** solicits, accepts or agrees to accept any benefit from another person upon an agreement or understanding that such benefit will influence his **or her** conduct in relation to his **or her** employer's or principal's affairs, and when the value of the benefit solicited, accepted or agreed to be accepted exceeds one thousand dollars [~~and causes economic harm to the employer or principal in an amount exceeding two hundred fifty dollars~~].

Commercial bribe receiving in the first degree is a class E felony.

§ 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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