

STATE OF NEW YORK

7284

IN SENATE

January 15, 2020

Introduced by Sen. GAUGHRAN -- 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 adding criminal facilitation felonies to the definition of criminal act

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

Section 1. Paragraph (a) of subdivision 1 of section 460.10 of the penal law, as amended by chapter 134 of the laws of 2019, is amended to read as follows:

(a) Any of the felonies set forth in this chapter: sections 115.01, 115.05 and 115.08 relating to criminal facilitation; sections 120.05, 120.10 and 120.11 relating to assault; sections 121.12 and 121.13 relating to strangulation; sections 125.10 to 125.27 relating to homicide; sections 130.25, 130.30 and 130.35 relating to rape; sections 135.20 and 135.25 relating to kidnapping; sections 135.35 and 135.37 relating to labor trafficking; section 135.65 relating to coercion; sections 140.20, 140.25 and 140.30 relating to burglary; sections 145.05, 145.10 and 145.12 relating to criminal mischief; article one hundred fifty relating to arson; sections 155.30, 155.35, 155.40 and 155.42 relating to grand larceny; sections 177.10, 177.15, 177.20 and 177.25 relating to health care fraud; article one hundred sixty relating to robbery; sections 165.45, 165.50, 165.52 and 165.54 relating to criminal possession of stolen property; sections 165.72 and 165.73 relating to trademark counterfeiting; sections 170.10, 170.15, 170.25, 170.30, 170.40, 170.65 and 170.70 relating to forgery; sections 175.10, 175.25, 175.35, 175.40 and 210.40 relating to false statements; sections 176.15, 176.20, 176.25 and 176.30 relating to insurance fraud; sections 178.20 and 178.25 relating to criminal diversion of prescription medications and prescriptions; sections 180.03, 180.08, 180.15, 180.25, 180.40, 180.45, 200.00, 200.03, 200.04, 200.10, 200.11, 200.12, 200.20, 200.22, 200.25, 200.27, 200.56, 215.00, 215.05 and 215.19 relating to bribery; sections 187.10, 187.15, 187.20 and 187.25 relating to residential mortgage fraud, sections 190.40 and 190.42 relating to criminal usury; section 190.65 relating to schemes to defraud; any felony defined in article four hundred ninety-

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

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1 six; sections 205.60 and 205.65 relating to hindering prosecution;
2 sections 210.10, 210.15, and 215.51 relating to perjury and contempt;
3 section 215.40 relating to tampering with physical evidence; sections
4 220.06, 220.09, 220.16, 220.18, 220.21, 220.31, 220.34, 220.39, 220.41,
5 220.43, 220.46, 220.55, 220.60, 220.65 and 220.77 relating to controlled
6 substances; sections 225.10 and 225.20 relating to gambling; sections
7 230.25, 230.30, and 230.32 relating to promoting prostitution; section
8 230.34 relating to sex trafficking; section 230.34-a relating to sex
9 trafficking of a child; sections 235.06, 235.07, 235.21 and 235.22
10 relating to obscenity; sections 263.10 and 263.15 relating to promoting
11 a sexual performance by a child; sections 265.02, 265.03, 265.04,
12 265.11, 265.12, 265.13 and the provisions of section 265.10 which
13 constitute a felony relating to firearms and other dangerous weapons;
14 sections 265.14 and 265.16 relating to criminal sale of a firearm;
15 section 265.50 relating to the criminal manufacture, sale or transport
16 of an undetectable firearm, rifle or shotgun; section 275.10, 275.20,
17 275.30, or 275.40 relating to unauthorized recordings; and sections
18 470.05, 470.10, 470.15 and 470.20 relating to money laundering; or
19 § 2. This act shall take effect immediately, provided, however, that
20 if chapter 134 of the laws of 2019 shall not have taken effect on or
21 before such date, then section one of this act shall take effect on the
22 same date and in the same manner as chapter 134 of the laws of 2019,
23 takes effect.