

# STATE OF NEW YORK

1737

2021-2022 Regular Sessions

## IN ASSEMBLY

January 11, 2021

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the  
Committee on Codes

AN ACT to amend the penal law and the criminal procedure law, in  
relation to repeat offenders of driving accidents

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

- 1 Section 1. Paragraph (a) of subdivision 1 of section 70.06 of the  
2 penal law, as amended by chapter 410 of the laws of 1979, is amended to  
3 read as follows:  
4 (a) A second felony offender is a person, other than a second violent  
5 felony offender as defined in section 70.04, who stands convicted of a  
6 felony defined in this chapter or in the vehicle and traffic law, other  
7 than a class A-I felony, after having previously been subjected to one  
8 or more predicate felony convictions as defined in paragraph (b) of this  
9 subdivision.  
10 § 2. Paragraphs (b) and (c) of subdivision 1 of section 160.10 of the  
11 criminal procedure law, as amended by chapter 762 of the laws of 1971,  
12 are amended to read as follows:  
13 (b) A misdemeanor defined in the penal law or the vehicle and traffic  
14 law; or  
15 (c) A misdemeanor defined outside the penal law or the vehicle and  
16 traffic law which would constitute a felony if such person had a previ-  
17 ous judgment of conviction for a crime; or  
18 § 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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