STATE OF NEW YORK

353

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. JACOBSON, COLTON, MONTESANO, McDONOUGH -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the unlawful wearing of a body vest

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

Section 1. Subdivision 1 of section 270.20 of the penal law, as amended by chapter 317 of the laws of 2001, is amended to read as follows:

1. A person is guilty of the unlawful wearing of a body vest when acting either alone or with one or more other persons he or she commits any [~~violent felony offense defined in section 70.02 while possessing a firearm, rifle or shotgun~~] misdemeanor or felony defined in this chapter and in the course of and in furtherance of such crime he or she wears a body vest.

§ 2. Section 70.25 of the penal law is amended by adding a new subdivision 2-h to read as follows:

2-h. Whenever a person is convicted of unlawful wearing of a body vest as defined in section 270.20 of this chapter, the sentence imposed by the court for such offense shall run consecutively to any sentence imposed upon conviction of a misdemeanor or felony offense defined in this chapter arising from the same criminal transaction.

§ 3. This act shall take effect on the sixtieth day after it shall have become a law.

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

LBD05231-01-1