

# STATE OF NEW YORK

434

2021-2022 Regular Sessions

## IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. KAMINSKY -- 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 giving and/or receiving unlawful benefits

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

1 Section 1. The penal law is amended by adding a new section 200.31 to  
2 read as follows:

3 § 200.31 Giving unlawful benefits.

4 Anyone who otherwise than as provided by law for the proper discharge  
5 of official duty directly or indirectly gives, offers or promises any  
6 benefit with a value in excess of three thousand dollars, with the  
7 exception of campaign contributions under article fourteen of the  
8 election law, to any public official or person selected to be a public  
9 official because of that person's official position.

10 Giving unlawful benefits is a class E felony.

11 § 2. The penal law is amended by adding a new section 200.36 to read  
12 as follows:

13 § 200.36 Receiving unlawful benefits.

14 Anyone who, being a public official or person selected to be a public  
15 official, otherwise than as provided by law for the proper discharge of  
16 official duty, directly or indirectly seeks, receives or agrees to  
17 receive any benefit, with the exception of campaign contributions under  
18 article fourteen of the election law, with a value in excess of three  
19 thousand dollars because of that person's official position.

20 Receiving unlawful benefits is a class E felony.

21 § 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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