# STATE OF NEW YORK

8697

# IN SENATE

March 30, 2022

Introduced by Sen. PALUMBO -- 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 grand larceny in the third degree of a person who is 65 years of age or older

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

Section 1. Section 155.35 of the penal law, as amended by chapter 464 of the laws of 2010, is amended to read as follows:

§ 155.35 Grand larceny in the third degree.

A person is guilty of grand larceny in the third degree when he or she steals property and:

1. when the value of the property exceeds three thousand dollars[~~, or~~];

2. the property is an automated teller machine or the contents of an automated teller machine[~~,~~];

**3. the property, regardless of its nature and value, is taken from the person of another and the victim is 65 years of age or older; or**

**4. the property, regardless of its nature and value, is obtained by extortion and the victim is 65 years of age or older.**

Grand larceny in the third degree is a class D felony.

§ 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

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

LBD15093-01-2