STATE OF NEW YORK

1356

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

Introduced by M. of A. BUTTENSCHON, BARCLAY, CRUZ, DICKENS, SAYEGH, THIELE -- read once and referred to the Committee on Codes

AN ACT to amend the penal law and the vehicle and traffic law, in relation to increasing the class for certain vehicular crimes and enacting Kane's law

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

Section 1. Short title. This act shall be known and may be cited as "Kane's Law".

§ 2. The second undesignated paragraph of section 125.12 of the penal law, as amended by chapter 732 of the laws of 2006, is amended to read as follows:

Vehicular manslaughter in the second degree is a class [~~D~~] C felony.

§ 3. The second undesignated paragraph of section 125.13 of the penal law, as amended by chapter 496 of the laws of 2009, is amended to read as follows:

Vehicular manslaughter in the first degree is a class [~~C~~] B felony.

§ 4. The second undesignated paragraph of section 125.14 of the penal law, as amended by chapter 496 of the laws of 2009, is amended to read as follows:

Aggravated vehicular homicide is a class [~~B~~] A-2 felony.

§ 5. Paragraph (b) of subdivision 3 of section 511 of the vehicle and traffic law, as separately amended by chapters 786 and 892 of the laws of 1990, is amended to read as follows:

(b) Aggravated unlicensed operation of a motor vehicle in the first degree is a class [~~E~~] D felony. When a person is convicted of this crime, the sentence of the court must be: (i) a fine in an amount not less than five hundred dollars nor more than five thousand dollars; and (ii) a term of imprisonment as provided in the penal law, or (iii) where appropriate and a term of imprisonment is not required by the penal law, a sentence of probation as provided in subdivision six of this section,

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

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or (iv) a term of imprisonment as a condition of a sentence of probation as provided in the penal law.

§ 6. This act shall take effect immediately.