STATE OF NEW YORK

2936

2023-2024 Regular Sessions

IN ASSEMBLY

February 1, 2023

Introduced by M. of A. ZEBROWSKI, GUNTHER, JONES, COLTON, RIVERA, LAVINE, COOK, MIKULIN -- Multi-Sponsored by -- M. of A. BARCLAY, SIMON, THIELE -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the sentence of imprisonment for conspiracy to commit the class A-I felonies of murder in the second degree

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

Section 1. Paragraph (a) of subdivision 1 of section 70.02 of the penal law, as amended by chapter 189 of the laws of 2018, is amended to read as follows:

(a) Class B violent felony offenses: **conspiracy to commit the class A-I felonies of murder in the second degree as defined in section 125.25;** an attempt to commit the class A-I felonies of murder in the second degree as defined in section 125.25, kidnapping in the first degree as defined in section 135.25, and arson in the first degree as defined in section 150.20; manslaughter in the first degree as defined in section 125.20, aggravated manslaughter in the first degree as defined in section 125.22, rape in the first degree as defined in section 130.35, criminal sexual act in the first degree as defined in section 130.50, aggravated sexual abuse in the first degree as defined in section 130.70, course of sexual conduct against a child in the first degree as defined in section 130.75; assault in the first degree as defined in section 120.10, kidnapping in the second degree as defined in section 135.20, burglary in the first degree as defined in section 140.30, arson in the second degree as defined in section 150.15, robbery in the first degree as defined in section 160.15, sex trafficking as defined in paragraphs (a) and (b) of subdivision five of section 230.34, sex trafficking of a child as defined in section 230.34-a, incest in the first degree as defined in section 255.27, criminal possession of a weapon in the first degree as defined in section 265.04, criminal use of

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

LBD07449-01-3

a firearm in the first degree as defined in section 265.09, criminal sale of a firearm in the first degree as defined in section 265.13, aggravated assault upon a police officer or a peace officer as defined in section 120.11, gang assault in the first degree as defined in section 120.07, intimidating a victim or witness in the first degree as defined in section 215.17, hindering prosecution of terrorism in the first degree as defined in section 490.35, criminal possession of a chemical weapon or biological weapon in the second degree as defined in section 490.40, and criminal use of a chemical weapon or biological weapon in the third degree as defined in section 490.47.

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