

STATE OF NEW YORK

421

2023-2024 Regular Sessions

IN ASSEMBLY

January 9, 2023

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the Committee on Codes

AN ACT to amend the penal law and the criminal procedure law, in relation to repeat offenders of driving accidents

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

1 Section 1. Paragraph (a) of subdivision 1 of section 70.06 of the
2 penal law, as amended by chapter 410 of the laws of 1979, is amended to
3 read as follows:

4 (a) A second felony offender is a person, other than a second violent
5 felony offender as defined in section 70.04, who stands convicted of a
6 felony defined in this chapter or in the vehicle and traffic law, other
7 than a class A-I felony, after having previously been subjected to one
8 or more predicate felony convictions as defined in paragraph (b) of this
9 subdivision.

10 § 2. Paragraphs (b) and (c) of subdivision 1 of section 160.10 of the
11 criminal procedure law, paragraph (b) as amended by chapter 762 of the
12 laws of 1971 and paragraph (c) as amended by chapter 23 of the laws of
13 2021, are amended to read as follows:

14 (b) A misdemeanor defined in the penal law or the vehicle and traffic
15 law; or

16 (c) A misdemeanor defined outside the penal law or the vehicle and
17 traffic law which would constitute a felony if such person had a previ-
18 ous judgment of conviction for a crime.

19 § 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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