STATE OF NEW YORK

835

2023-2024 Regular Sessions

IN ASSEMBLY

January 11, 2023

Introduced by M. of A. JACOBSON, COLTON, PEOPLES-STOKES, JEAN-PIERRE -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the unlawful wearing of body armor

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

Section 1. Subdivision 1 of section 270.20 of the penal law, as amended by chapter 371 of the laws of 2022, is amended to read as follows:

1. A person is guilty of the unlawful wearing of body armor when acting either alone or with one or more other persons he **or she** commits any [~~**violent felony offense defined in section 70.02 while possessing a firearm, rifle or shotgun**~~] **misdemeanor or felony defined in this chapter** and in the course of and in furtherance of such crime he or she wears body armor.

§ 2. Section 70.25 of the penal law is amended by adding a new subdivision 2-h to read as follows:

2-h. Whenever a person is convicted of unlawful wearing of body armor as defined in section 270.20 of this chapter, the sentence imposed by the court for such offense shall run consecutively to any sentence imposed upon conviction of a misdemeanor or felony offense defined in this chapter arising from the same criminal transaction.

§ 3. This act shall take effect on the sixtieth day after it shall have become a law.

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

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