# 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:**

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

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

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

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

(c) A misdemeanor defined outside the penal law **or the vehicle and traffic law** which would constitute a felony if such person had a previous judgment of conviction for a crime.

§ 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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