STATE OF NEW YORK

5097

2023-2024 Regular Sessions

IN ASSEMBLY

March 2, 2023

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

AN ACT to amend the penal law, in relation to giving and/or receiving unlawful benefits

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

Section 1. The penal law is amended by adding a new section 200.31 to read as follows:

§ 200.31 Giving unlawful benefits.

Anyone who otherwise than as provided by law for the proper discharge of official duty directly or indirectly gives, offers or promises any benefit with a value in excess of three thousand dollars, with the exception of campaign contributions under article fourteen of the election law, to any public official or person selected to be a public official because of that person's official position.

Giving unlawful benefits is a class E felony.

§ 2. The penal law is amended by adding a new section 200.36 to read as follows:

§ 200.36 Receiving unlawful benefits.

Anyone who, being a public official or person selected to be a public official, otherwise than as provided by law for the proper discharge of official duty, directly or indirectly seeks, receives or agrees to receive any benefit, with the exception of campaign contributions under article fourteen of the election law, with a value in excess of three thousand dollars because of that person's official position.

Receiving unlawful benefits is a class E felony.

§ 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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