

STATE OF NEW YORK

4124

2025-2026 Regular Sessions

IN ASSEMBLY

January 31, 2025

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

AN ACT to amend the penal law and the criminal procedure law, in relation to establishing the crime of aggravated grand larceny

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

1 Section 1. The penal law is amended by adding a new section 155.32 to
2 read as follows:

3 § 155.32 Aggravated grand larceny.

4 A person is guilty of aggravated grand larceny when such person
5 commits the crime of grand larceny in the fourth degree in violation of
6 subdivision eight of section 155.30 of this article and has been
7 convicted within the previous five years of grand larceny in the fourth
8 degree in violation of subdivision eight of section 155.30 of this arti-
9 cle.

10 Aggravated grand larceny is a class D felony.

11 § 2. Paragraphs (t) and (u) of subdivision 4 of section 510.10 of the
12 criminal procedure law, paragraph (t) as amended and paragraph (u) as
13 added by section 2 of subpart B of part UU of chapter 56 of the laws of
14 2022, are amended and two new paragraphs (v) and (w) are added to read
15 as follows:

16 (t) any felony or class A misdemeanor involving harm to an identifi-
17 able person or property, or any charge of criminal possession of a
18 firearm as defined in section 265.01-b of the penal law, where such
19 charge arose from conduct occurring while the defendant was released on
20 his or her own recognizance, released under conditions, or had yet to be
21 arraigned after the issuance of a desk appearance ticket for a separate
22 felony or class A misdemeanor involving harm to an identifiable person
23 or property, or any charge of criminal possession of a firearm as
24 defined in section 265.01-b of the penal law, provided, however, that
25 the prosecutor must show reasonable cause to believe that the defendant

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

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1 committed the instant crime and any underlying crime. For the purposes
2 of this subparagraph, any of the underlying crimes need not be a quali-
3 fying offense as defined in this subdivision. For the purposes of this
4 paragraph, "harm to an identifiable person or property" shall include
5 but not be limited to theft of or damage to property. However, based
6 upon a review of the facts alleged in the accusatory instrument, if the
7 court determines that such theft is negligible and does not appear to be
8 in furtherance of other criminal activity, the principal shall be
9 released on his or her own recognizance or under appropriate non-mone-
10 tary conditions; [~~ex~~]

11 (u) criminal possession of a weapon in the third degree as defined in
12 subdivision three of section 265.02 of the penal law or criminal sale of
13 a firearm to a minor as defined in section 265.16 of the penal law[+];

14 (v) grand larceny in the fourth degree as defined in subdivision eight
15 of section 155.30 of the penal law where such charge arose from conduct
16 occurring while the defendant was released on their own recognizance,
17 released under conditions, or had yet to be arraigned after the issuance
18 of a desk appearance ticket for the crime of grand larceny in the fourth
19 degree as defined in subdivision eight of section 155.30 of the penal
20 law; or

21 (w) aggravated grand larceny as defined in section 155.32 of the penal
22 law.

23 § 3. Subparagraph (xv) of paragraph (b) of subdivision 1 of section
24 530.20 of the criminal procedure law, as amended by section 3 of part UU
25 of chapter 56 of the laws of 2020, is amended to read as follows:

26 (xv) grand larceny in the first degree as defined in section 155.42 of
27 the penal law, grand larceny in the fourth degree as defined in subdivi-
28 sion eight of section 155.30 of the penal law, aggravated grand larceny
29 as defined in section 155.32 of the penal law, enterprise corruption as
30 defined in section 460.20 of the penal law, or money laundering in the
31 first degree as defined in section 470.20 of the penal law;

32 § 4. Paragraph (o) of subdivision 4 of section 530.40 of the criminal
33 procedure law, as added by section 4 of part UU of chapter 56 of the
34 laws of 2020, is amended to read as follows:

35 (o) grand larceny in the first degree as defined in section 155.42 of
36 the penal law, grand larceny in the fourth degree as defined in subdivi-
37 sion eight of section 155.30 of the penal law, aggravated grand larceny
38 as defined in section 155.32 of the penal law, enterprise corruption as
39 defined in section 460.20 of the penal law, or money laundering in the
40 first degree as defined in section 470.20 of the penal law;

41 § 5. Paragraph (d) of subdivision 1 of section 722.23 of the criminal
42 procedure law, as added by section 1-a of part WWW of chapter 59 of the
43 laws of 2017, is amended to read as follows:

44 (d) The court shall deny the motion to prevent removal of the action
45 in youth part unless the court makes a determination upon such motion by
46 the district attorney that [~~extraordinary~~] one or more circumstances
47 exist that should prevent the transfer of the action to family court,
48 including, but not limited to, where the defendant is charged with grand
49 larceny in the fourth degree as defined in subdivision eight of section
50 155.30 of the penal law or aggravated grand larceny as defined in
51 section 155.32 of the penal law.

52 § 6. This act shall take effect immediately.