STATE OF NEW YORK

9143

2025-2026 Regular Sessions

IN ASSEMBLY

October 17, 2025

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 establishing a rebuttable presumption in certain crimes against an elderly, incompetent or incapacitated person

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 155.44 to read as follows:

§ 155.44 Rebuttable presumption regarding elderly, incompetent or incapacitated victims.

There shall be a rebuttable presumption that any transfer of money or property valued in excess of ten thousand dollars at the time of the transfer, whether in a single transaction or multiple transactions, by a person who is elderly, incompetent or incapacitated to a non-beneficiary, and for which the transferor did not receive the reasonably equivalent financial value in goods or services, was a wrongful taking under this article.

§ 2. This act shall take effect immediately and shall apply to criminal proceedings commenced on or after such effective date.

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

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