

STATE OF NEW YORK

7640

2025-2026 Regular Sessions

IN SENATE

April 24, 2025

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to providing penalties for arson and enhancing penalties for criminal mischief against motor vehicle dealerships and manufacturing facilities

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

1 Section 1. Subdivision 1 of section 150.00 of the penal law, as
2 amended by chapter 225 of the laws of 1979, is amended and two new
3 subdivisions 3 and 4 are added to read as follows:

4 1. "Building", in addition to its ordinary meaning, includes any
5 structure, vehicle or watercraft used for overnight lodging of persons,
6 or used by persons for carrying on business therein, or any motor vehi-
7 cle dealership or motor vehicle manufacturing facility. Where a build-
8 ing consists of two or more units separately secured or occupied, each
9 unit shall not be deemed a separate building.

10 3. "Motor vehicle dealership", a building and/or lot where motor vehi-
11 cles are kept for sale or for lease and may be serviced or repairs may
12 be conducted as an accessory use to the main function of selling or
13 leasing motor vehicles.

14 4. "Motor vehicle manufacturing facility", a factory where motor vehi-
15 cles are manufactured.

16 § 2. The penal law is amended by adding a new section 145.11 to read
17 as follows:

18 § 145.11 Criminal mischief against motor vehicle dealerships and manu-
19 facturing facilities.

20 1. For the purposes of this section:

21 (a) "Motor vehicle dealership" shall mean a building and/or lot where
22 motor vehicles are kept for sale or for lease and may be serviced or
23 repairs may be conducted an accessory use to the main function of sell-
24 ing or leasing motor vehicles.

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

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1 (b) "Motor vehicle manufacturing facility" shall mean a factory where
2 motor vehicles are manufactured.

3 2. When a person is convicted of criminal mischief pursuant to this
4 article, and the specified offense is against a motor vehicle dealership
5 or motor vehicle manufacturing facility, the offense shall be deemed to
6 be one category higher than the specified offense level applicable to
7 the defendant's conviction.

8 3. Notwithstanding any other provision of law to the contrary:

9 (a) a person convicted of criminal mischief in the fourth degree
10 pursuant to section 145.00 of this article, and the property which was
11 damaged is a motor vehicle dealership or manufacturing facility, such
12 offense shall be a class B misdemeanor;

13 (b) a person convicted of criminal mischief in the third degree pursu-
14 ant to section 145.05 of this article, and the property which was
15 damaged is a motor vehicle dealership or manufacturing facility, such
16 offense shall be a class D felony;

17 (c) a person convicted of criminal mischief in the second degree
18 pursuant to section 145.10 of this article, and the property which was
19 damaged is a motor vehicle dealership or manufacturing facility, such
20 offense shall be a class C felony; and

21 (d) a person convicted of criminal mischief in the first degree pursu-
22 ant to section 145.12 of this article, and the property which was
23 damaged is a motor vehicle dealership or manufacturing facility, such
24 offense shall be a class A felony.

25 § 3. This act shall take effect immediately.