

# STATE OF NEW YORK

6725

2025-2026 Regular Sessions

## IN ASSEMBLY

March 11, 2025

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

AN ACT to amend the penal law, in relation to theft of property from a senior citizen and creating the class E felony of fraudulent accosting in the first degree

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

1 Section 1. Section 155.30 of the penal law is amended by adding a new  
2 subdivision 13 to read as follows:

3 13. The value of the property exceeds two hundred fifty dollars and is  
4 taken from a person who is sixty-five years of age or older.

5 § 2. Section 165.30 of the penal law, as amended by chapter 772 of the  
6 laws of 1971, is amended to read as follows:

7 § 165.30 Fraudulent accosting in the second degree.

8 1. A person is guilty of fraudulent accosting in the second degree  
9 when [~~he~~] such person accosts [~~a~~] another person in a public place with  
10 intent to defraud [~~him~~] such other person of money or other property by  
11 means of a trick, swindle or confidence game.

12 2. A person who, either at the time [~~he~~] such person accosts another  
13 in a public place or at some subsequent time or at some other place,  
14 makes statements to [~~him~~] such other person or engages in conduct with  
15 respect to [~~him~~] such other person of a kind commonly made or performed  
16 in the perpetration of a known type of confidence game, is presumed to  
17 intend to defraud such other person of money or other property.

18 Fraudulent accosting in the second degree is a class A misdemeanor.

19 § 3. The penal law is amended by adding a new section 165.31 to read  
20 as follows:

21 § 165.31 Fraudulent accosting in the first degree.

22 1. A person is guilty of fraudulent accosting in the first degree when  
23 such person accosts another person, who is sixty-five years of age or

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

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1 older, in a public place with intent to defraud such other person of  
2 money or other property by means of a trick, swindle or confidence game.

3 2. A person who, either at the time such person accosts another in a  
4 public place or at some subsequent time or at some other place, makes  
5 statements to such other person or engages in conduct with respect to  
6 such other person of a kind commonly made or performed in the perpe-  
7 tration of a known type of confidence game, is presumed to intend to  
8 defraud such other person of money or other property.

9 Fraudulent accosting in the first degree is a class E felony.

10 § 4. This act shall take effect on the first of November next succeed-  
11 ing the date on which it shall have become a law.