GRAND LARCENY

**S 155.00 Larceny; definitions of terms**.

The following definitions are applicable to this title:

1. "Property" means any money, personal property, real property,

computer data, computer program, thing in action, evidence of debt or

contract, or any article, substance or thing of value, including any

gas, steam, water or electricity, which is provided for a charge or

compensation.

**S 155.30** **Grand larceny in the fourth degree.**

A person is guilty of grand larceny in the fourth degree when he

steals property and when:

1. The value of the property exceeds one thousand dollars; or

2. The property consists of a public record, writing or instrument

kept, filed or deposited according to law with or in the keeping of any

public office or public servant; or

3. The property consists of secret scientific material; or

4. The property consists of a credit card or debit card; or

5. The property, regardless of its nature and value, is taken from the

person of another; or

6. The property, regardless of its nature and value, is obtained by

extortion; or

7. The property consists of one or more firearms, rifles or shotguns,

as such terms are defined in section [265.00](http://ypdcrime.com/penal.law/article265.htm) of this chapter; or

8. The value of the property exceeds one hundred dollars and the

property consists of a motor vehicle, as defined in section one hundred

twenty-five of the vehicle and traffic law, other than a motorcycle, as

defined in section one hundred twenty-three of such law; or

9. The property consists of a scroll, religious vestment, a vessel, an

item comprising a display of religious symbols which forms a

representative expression of faith, or other miscellaneous item of

property which:

(a) has a value of at least one hundred dollars; and

(b) is kept for or used in connection with religious worship in any

building, structure or upon the curtilage of such building or structure

used as a place of religious worship by a religious corporation, as

incorporated under the religious corporations law or the education law.

10. The property consists of an access device which the person intends

to use unlawfully to obtain telephone service.

11. The property consists of anhydrous ammonia or liquified ammonia

gas and the actor intends to use, or knows another person intends to

use, such anhydrous ammonia or liquified ammonia gas to manufacture

methamphetamine.

Grand larceny in the fourth degree is a class E felony.

**S 155.35** **Grand larceny in the third degree.**

A person is guilty of grand larceny in the third degree when he or she

steals property and:

1. when the value of the property exceeds three thousand dollars, or

2. the property is an automated teller machine or the contents of an

automated teller machine.

Grand larceny in the third degree is a class D felony.

**S 155.40** **Grand larceny in the second degree.**

A person is guilty of grand larceny in the second degree when he

steals property and when:

1. The value of the property exceeds fifty thousand dollars; or

2. The property, regardless of its nature and value, is obtained by

extortion committed by instilling in the victim a fear that the actor or

another person will (a) cause physical injury to some person in the

future, or (b) cause damage to property, or (c) use or abuse his

position as a public servant by engaging in conduct within or related to

his official duties, or by failing or refusing to perform an official

duty, in such manner as to affect some person adversely.

Grand larceny in the second degree is a class C felony.

**S 155.42** **Grand larceny in the first degree.**

A person is guilty of grand larceny in the first degree when he steals

property and when the value of the property exceeds one million dollars.

Grand larceny in the first degree is a class B felony.

**S 125.10 Criminally negligent homicide.**

A person is guilty of criminally negligent homicide when, with criminal negligence, he causes the death of another person.

Criminally negligent homicide is a class E felony.

S 125.20 **Manslaughter in the first degree.**

A person is guilty of manslaughter in the first degree when:

1. With intent to cause serious physical injury to another person, he

causes the death of such person or of a third person; or

2. With intent to cause the death of another person, he causes the

death of such person or of a third person under circumstances which do

not constitute murder because he acts under the influence of extreme

emotional disturbance, as defined in paragraph (a) of subdivision one of

section [125.25](http://ypdcrime.com/penal.law/article125.htm#p125.25). The fact that homicide was committed under the influence

of extreme emotional disturbance constitutes a mitigating circumstance

reducing murder to manslaughter in the first degree and need not be

proved in any prosecution initiated under this subdivision; or

3. He commits upon a female pregnant for more than twenty-four weeks

an abortional act which causes her death, unless such abortional act is

justifiable pursuant to subdivision three of section [125.05](http://ypdcrime.com/penal.law/article125.htm#p125.05); or

4. Being eighteen years old or more and with intent to cause physical

injury to a person less than eleven years old, the defendant recklessly

engages in conduct which creates a grave risk of serious physical injury

to such person and thereby causes the death of such person.

Manslaughter in the first degree is a class B felony.