S T A T E O F N E W Y O R K

2737--A

2011-2012 Regular Sessions

I N S E N A T E

January 31, 2011

Introduced by Sens. SALAND, ESPAILLAT, PERALTA -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to the prohibition against unauthorized radio transmissions

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 190.72 of the penal law, as added by chapter 361 of the laws of 2011, is amended to read as follows:

S 190.72 Unauthorized radio transmission.

A person is guilty of an unauthorized radio transmission when such person:

1. knowingly makes or causes to be made a radio transmission in this state, on a radio frequency assigned and licensed by the federal communications commission for use by amplitude modulation (AM) radio stations between the frequencies of five hundred thirty kilohertz (kHz) to seventeen hundred kilohertz (kHz), or frequency modulation (FM) radio stations between the frequencies of eighty-eight megahertz (MHz) to one hundred eight megahertz (MHz), without authorization or having first obtained a license from the federal communications commission or duly authorized federal agency, in violation of federal law; OR

2. ACTS, WHETHER DIRECTLY OR INDIRECTLY, TO CAUSE AN UNAUTHORIZED RADIO TRANSMISSION TO, OR INTERFERENCE WITH, A PUBLIC OR COMMERCIAL RADIO STATION LICENSED BY THE FEDERAL COMMUNICATIONS COMMISSION OR TO ENABLE THE RADIO TRANSMISSION OR INTERFERENCE TO OCCUR.

Unauthorized radio transmission is a class [A misdemeanor] D FELONY.

S 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law; provided, however, that if section 1 of chapter 361 of the laws of 2011 shall not have taken effect on or before such date then section one of this act shall take effect on the same date and in the same manner as such chapter of the laws of 2011 takes effect.

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

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