

2510--A

Cal. No. 307

2011-2012 Regular Sessions

I N S E N A T E

January 24, 2011

Introduced by Sens. GIANARIS, AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the penal law, in relation to vehicular compartments equipped with explosive devices

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

1 Section 1. Section 265.00 of the penal law is amended by adding a new
2 subdivision 24 to read as follows:
3 24. "VEHICULAR COMPARTMENT EQUIPPED WITH AN EXPLOSIVE DEVICE" MEANS AN
4 ENCLOSURE OR COMPARTMENT INTEGRATED INTO A VEHICLE EQUIPPED WITH AN
5 EXPLOSIVE DEVICE OR OTHERWISE CREATES OR IS DESIGNED TO CREATE A
6 SUBSTANTIAL RISK OF PHYSICAL INJURY TO A PERSON WHO ATTEMPTS ACCESS OF
7 SUCH COMPARTMENT.
8 S 2. Section 265.02 of the penal law is amended by adding a new subdi-
9 vision 4 to read as follows:
10 (4) SUCH PERSON KNOWINGLY POSSESSES ANY VEHICULAR COMPARTMENT EQUIPPED
11 WITH AN EXPLOSIVE DEVICE AS SUCH TERM IS DEFINED IN SUBDIVISION TWENTY-
12 FOUR OF SECTION 265.00 OF THIS ARTICLE; OR
13 S 3. Section 265.10 of the penal law is amended by adding a new subdi-
14 vision 8 to read as follows:
15 8. ANY PERSON WHO INSTALLS OR CAUSES TO BE INSTALLED INTO A VEHICLE A
16 VEHICULAR COMPARTMENT EQUIPPED WITH AN EXPLOSIVE DEVICE AS SUCH TERM IS
17 DEFINED IN SUBDIVISION TWENTY-FOUR OF SECTION 265.00 OF THIS ARTICLE IS
18 GUILTY OF A CLASS D FELONY.
19 S 4. The penal law is amended by adding a new section 265.18 to read
20 as follows:
21 S 265.18 CRIMINAL PURCHASE OF A VEHICULAR COMPARTMENT EQUIPPED WITH AN
22 EXPLOSIVE DEVICE.

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

LBD05741-09-1

1 A PERSON IS GUILTY OF CRIMINAL PURCHASE OF A VEHICULAR COMPARTMENT
2 EQUIPPED WITH AN EXPLOSIVE DEVICE WHEN:
3 1. HE OR SHE INSTALLS OR CAUSES TO BE INSTALLED INTO A VEHICLE A
4 VEHICULAR COMPARTMENT EQUIPPED WITH AN EXPLOSIVE DEVICE AS SUCH TERM IS
5 DEFINED IN SUBDIVISION TWENTY-FOUR OF SECTION 265.00 OF THIS ARTICLE; OR
6 2. KNOWING THAT A MOTOR VEHICLE CONTAINS A VEHICULAR COMPARTMENT
7 EQUIPPED WITH AN EXPLOSIVE DEVICE AS SUCH TERM IS DEFINED IN SUBDIVISION
8 TWENTY-FOUR OF SECTION 265.00 OF THIS ARTICLE, HE OR SHE PURCHASES SUCH
9 A VEHICLE.
10 CRIMINAL PURCHASE OF A VEHICULAR COMPARTMENT EQUIPPED WITH AN
11 EXPLOSIVE DEVICE IS A CLASS D FELONY.
12 S 5. This act shall take effect on the ninetieth day after it shall
13 have become a law.