

2737--A

2011-2012 Regular Sessions

I N   S E N A T E

January 31, 2011

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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:

1     Section 1. Section 190.72 of the penal law, as added by chapter 361 of  
2     the laws of 2011, is amended to read as follows:  
3     S 190.72 Unauthorized radio transmission.  
4     A person is guilty of an unauthorized radio transmission when such  
5     person:  
6     1. knowingly makes or causes to be made a radio transmission in this  
7     state, on a radio frequency assigned and licensed by the federal commu-  
8     nications commission for use by amplitude modulation (AM) radio stations  
9     between the frequencies of five hundred thirty kilohertz (kHz) to seven-  
10    teen hundred kilohertz (kHz), or frequency modulation (FM) radio  
11    stations between the frequencies of eighty-eight megahertz (MHz) to one  
12    hundred eight megahertz (MHz), without authorization or having first  
13    obtained a license from the federal communications commission or duly  
14    authorized federal agency, in violation of federal law; OR  
15    2. ACTS, WHETHER DIRECTLY OR INDIRECTLY, TO CAUSE AN UNAUTHORIZED  
16    RADIO TRANSMISSION TO, OR INTERFERENCE WITH, A PUBLIC OR COMMERCIAL  
17    RADIO STATION LICENSED BY THE FEDERAL COMMUNICATIONS COMMISSION OR TO  
18    ENABLE THE RADIO TRANSMISSION OR INTERFERENCE TO OCCUR.  
19    Unauthorized radio transmission is a class [A misdemeanor] D FELONY.  
20    S 2. This act shall take effect on the first of November next succeed-  
21    ing the date on which it shall have become a law; provided, however,  
22    that if section 1 of chapter 361 of the laws of 2011 shall not have  
23    taken effect on or before such date then section one of this act shall  
24    take effect on the same date and in the same manner as such chapter of  
25    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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