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

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2015-2016 Regular Sessions

I N S E N A T E

January 15, 2015

Introduced by Sens. MARCHIONE, LANZA, MARTINS -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to the possession of anti-security items

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

Section 1. Section 155.30 of the penal law is amended by adding a new subdivision 12 to read as follows:

12. THE PROPERTY IS TAKEN BY A PERSON WHO IS IN POSSESSION OF AN ANTI-SECURITY ITEM. FOR THE PURPOSES OF THIS SUBDIVISION AN "ANTI-SECURITY ITEM" IS DEFINED AS AN ITEM DESIGNED FOR THE PURPOSE OF OVERCOMING DETECTION OF SECURITY MARKINGS OR ATTACHMENTS PLACED ON PROPERTY OFFERED FOR SALE AT SUCH AN ESTABLISHMENT.

S 2. Section 170.47 of the penal law, as added by chapter 580 of the laws of 1983, is amended to read as follows:

S 170.47 Criminal possession of an anti-security item.

A person is guilty of criminal possession of an anti-security item, when with intent to steal property at a retail mercantile establishment as defined in article twelve-B of the general business law, he knowingly possesses in such an establishment an item designed for the purpose of overcoming detection of security markings or attachments placed on property offered for sale at such an establishment.

Criminal possession of an anti-security item is a class [B] A misdemeanor.

S 3. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

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

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