

STATE OF NEW YORK

676

2017-2018 Regular Sessions

IN ASSEMBLY

January 9, 2017

Introduced by M. of A. RODRIGUEZ -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to criminal trespass and burglary upon the premises of a pharmacy

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 140.00 of the penal law is amended by adding a new
2 subdivision 6 to read as follows:

3 6. "Pharmacy" means that area within a building at which the practice
4 of the profession of pharmacy is conducted pursuant to article one
5 hundred thirty-seven of the education law.

6 § 2. Subdivision 1 of section 140.15 of the penal law, as amended by
7 chapter 315 of the laws of 2010, is amended to read as follows:

8 1. he or she knowingly enters or remains unlawfully in a dwelling or a
9 pharmacy; or

10 § 3. Subdivision 2 of section 140.25 of the penal law, as amended by
11 chapter 361 of the laws of 1981, is amended to read as follows:

12 2. The building is a dwelling, or the portion of the building that is
13 a pharmacy.

14 § 4. The opening paragraph of section 140.30 of the penal law, as
15 amended by chapter 361 of the laws of 1981, is amended to read as
16 follows:

17 A person is guilty of burglary in the first degree when he or she
18 knowingly enters or remains unlawfully in a dwelling or a pharmacy with
19 intent to commit a crime therein, and when, in effecting entry or while
20 in the dwelling or in immediate flight therefrom, he or she or another
21 participant in the crime:

22 § 5. This act shall take effect on the first of November next
23 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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