

STATE OF NEW YORK

4857--A

2023-2024 Regular Sessions

IN SENATE

February 15, 2023

Introduced by Sen. ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to allowing prosecutors to combine certain charges

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

Section 1. Subdivisions 9, 10 and 11 of section 155.30 of the penal law, subdivision 9 as amended by chapter 479 of the laws of 2010, subdivision 10 as added by chapter 491 of the laws of 1992 and subdivision 11 as added by chapter 394 of the laws of 2005, are amended and a new subdivision 12 is added to read as follows:

9. The property consists of a scroll, religious vestment, a vessel, an item comprising a display of religious symbols which forms a representative expression of faith, or other miscellaneous item of property which:

(a) has a value of at least one hundred dollars; and

(b) is kept for or used in connection with religious worship in any building, structure or upon the curtilage of such building or structure used as a place of religious worship by a religious corporation, as incorporated under the religious corporations law or the education law[-]; or

10. The property consists of an access device which the person intends to use unlawfully to obtain telephone service[-]; or

11. The property consists of anhydrous ammonia or liquified ammonia gas and the actor intends to use, or knows another person intends to use, such anhydrous ammonia or liquified ammonia gas to manufacture methamphetamine[-]; or

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

LBD07337-02-3

1 12. Such person has previously been subjected to two or more petit
2 larceny convictions as defined in section 155.25 of this article within
3 the eighteen months immediately preceding the charge under this section.
4 § 2. This act shall take effect on the first of November next succeed-
5 ing the date on which it shall have become a law.