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

1201

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. DESTITO, MORELLE, LIFTON -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to permits for public displays of fireworks

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

Section 1. The opening paragraph of subdivision 2 of section 405.00 of the penal law is amended to read as follows:

Notwithstanding the provisions of section 270.00, the permit authority of a state park, county park, city, village or town may upon application in writing, grant a permit for the public display of fireworks by municipalities, fair associations, amusement parks or organizations of individuals OR INDIVIDUALS. A PUBLIC DISPLAY SHALL INCLUDE, BUT NOT BE LIMITED TO, ANY DISPLAY TO BE VIEWED BY A TARGET AUDIENCE TO BE LOCATED ON PUBLIC OR MUNICIPAL PROPERTY, AND/OR BY A TARGET AUDIENCE TO BE LOCATED AT ANY PLACE OF PUBLIC ACCOMMODATION, RESORT OR AMUSEMENT AND/OR A TARGET AUDIENCE TO BE LOCATED AT ANY COMMERCIAL ESTABLISHMENT OPEN TO THE PUBLIC, WHETHER OR NOT A FEE IS CHARGED TO THE PUBLIC FOR SAID VIEWING. The application for such permit shall set forth:

S 2. This act shall take effect on the ninetieth day after 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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