

2272

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. REILICH, FINCH, CALHOUN -- Multi-Sponsored by --
M. of A. BARRA, BURLING, ERRIGO, McDONOUGH, TOWNSEND -- read once and
referred to the Committee on Codes

AN ACT to amend the penal law, in relation to criminally using drug
paraphernalia in the second degree

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

1 Section 1. Subdivision 3 of section 220.50 of the penal law, as added
2 by chapter 627 of the laws of 1990, is amended and a new subdivision 4
3 is added to read as follows:
4 3. Scales and balances used or designed for the purpose of weighing or
5 measuring controlled substances, under circumstances evincing an intent
6 to use, or under circumstances evincing knowledge that some person
7 intends to use, the same for purpose of unlawfully manufacturing, pack-
8 aging or dispensing of any narcotic drug or stimulant[.]; OR
9 4. OBJECTS INCLUDING, BUT NOT LIMITED TO: PIPES WITH OR WITHOUT
10 SCREENS, GLASS TUBING, PIPE SCREENS, STEEL WOOL, OR MINIATURE SPOONS,
11 CAPABLE FOR USE IN INGESTING, INHALING OR OTHERWISE INTRODUCING INTO THE
12 HUMAN BODY, A CONTROLLED SUBSTANCE, POSSESSION OF WHICH IS UNLAWFUL
13 UNDER THIS CHAPTER, UNDER CIRCUMSTANCES EVINCING AN INTENT TO USE, OR
14 UNDER CIRCUMSTANCES EVINCING KNOWLEDGE THAT SOME PERSON INTENDS TO USE
15 THE SAME, UNLAWFULLY.
16 S 2. This act shall take effect on the first of November next succeed-
17 ing 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.

LBD04365-01-9