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

2887

2009-2010 Regular Sessions

I N A S S E M B L Y

January 21, 2009

Introduced by M. of A. KOON, PEOPLES -- Multi-Sponsored by -- M. of A. COOK, DINOWITZ, GALEF, HOOPER, JOHN, LAVINE, MAYERSOHN, ROBINSON -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the purchase or sale of protective body vests

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

Section 1. The penal law is amended by adding a new section 270.40 to read as follows:

S 270.40 UNLAWFUL PURCHASING OR SELLING OF A BODY VEST.

1. A PERSON IS GUILTY OF UNLAWFUL PURCHASING OR SELLING OF A BODY VEST WHEN HE OR SHE PURCHASES OR SELLS, OR OFFERS TO PURCHASE OR SELL, A BODY VEST AS DEFINED IN SUBDIVISION TWO OF SECTION 270.20 OF THIS ARTICLE.

2. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO POLICE OFFICERS, AS DEFINED IN SUBDIVISION THIRTY-FOUR OF SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW, PEACE OFFICERS, AS LISTED IN SECTION 2.10 OF THE CRIMINAL PROCEDURE LAW, AND ALL MILITARY PERSONNEL OF THE UNITED STATES OR ANY ONE OF SUCH STATES. PROVIDED, HOWEVER, A PERSON WHO REGULARLY SELLS BODY VESTS TO LAW ENFORCEMENT OR MILITARY PERSONNEL SHALL ALSO BE EXEMPT FROM THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION IF THEY KEEP A REGISTER OF THEIR SALES IDENTIFYING TO WHOM THE VEST IS BEING SOLD.

UNLAWFUL PURCHASING OR SELLING OF A BODY VEST IS A CLASS A MISDEMEANOR.

S 2. 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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