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

3475

2009-2010 Regular Sessions

I N A S S E M B L Y

January 27, 2009

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

AN ACT to amend the penal law, in relation to the crime of trademark counterfeiting in the second degree

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

Section 1. Section 165.72 of the penal law is amended by adding a second undesignated paragraph to read as follows:

FOR THE PURPOSES OF THIS SECTION, THE RETAIL VALUE OF A DVD OR VIDEO TAPE OR OTHER SUCH RECORDING OF A FEATURE FILM, THAT, AT THE TIME SUCH RECORDING IS MANUFACTURED, DISTRIBUTED, SOLD, OR OFFERED FOR SALE, IS PLAYING IN THEATERS DURING ITS INITIAL RELEASE, SHALL BE PRESUMED TO EXCEED ONE THOUSAND DOLLARS.

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.

LBD06873-01-9