

3963

2009-2010 Regular Sessions

I N A S S E M B L Y

January 29, 2009

Introduced by M. of A. CROUCH, KOLB, ERRIGO, McKEVITT -- Multi-Sponsored
by -- M. of A. BACALLES, BARCLAY, BURLING, DUPREY, HAWLEY, MOLINARO,
OAKS, RAIA, SAYWARD -- read once and referred to the Committee on
Codes

AN ACT to amend the penal law, in relation to creating the crime of
agri-bioterrorism

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

1 Section 1. The penal law is amended by adding a new section 490.21 to
2 read as follows:
3 S 490.21 CRIME OF AGRI-BIOTERRORISM.
4 A PERSON IS GUILTY OF AGRI-BIOTERRORISM WHEN WITH INTENT TO INTIMIDATE
5 OR COERCE A CIVILIAN POPULATION, INFLUENCE THE POLICY OF A UNIT OF
6 GOVERNMENT BY INTIMIDATION OR COERCION, OR AFFECT THE CONDUCT OF A UNIT
7 OF GOVERNMENT, HE OR SHE:
8 1. DESIGNS, DEVELOPS AND UTILIZES A PROCESS OR PROCESSES TO GENET-
9 ICALLY ALTER PLANT LIFE USED FOR HUMAN CONSUMPTION WITH THE INTENT TO
10 RENDER SAID PLANT LIFE TOXIC OR UNSUITABLE FOR HUMAN OR LIVESTOCK
11 CONSUMPTION;
12 2. INTENTIONALLY INTRODUCES AN ANIMAL VIRUS, PATHOGEN, OR BACTERIA
13 WHICH WOULD KILL LIVESTOCK OR RENDER THE BY PRODUCTS OF SUCH LIVESTOCK
14 UNUSABLE FOR HUMAN CONSUMPTION;
15 3. INTENTIONALLY DEFILES, CORRUPTS OR ALTERS THE FOOD OR FARM PRODUCT
16 WITH THE INTENT TO SICKEN OR KILL PERSONS OR ANIMALS; OR
17 4. INTENTIONALLY MANUFACTURES, DESIGNS, OR ALTERS GENETIC MATERIAL TO
18 RESULT IN A PATHOGEN, VIRUS OR BACTERIA CAPABLE OF DISRUPTING OR
19 DESTROYING THE FOOD OR FARM PRODUCT.
20 AGRI-BIOTERRORISM IS A CLASS B FELONY.
21 S 2. This act shall take effect immediately.

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

LBD07021-01-9