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

4592

2009-2010 Regular Sessions

I N A S S E M B L Y

February 5, 2009

Introduced by M. of A. COOK, PHEFFER, MAYERSOHN, ORTIZ -- Multi-Sponsored by -- M. of A. GALEF -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to loitering

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

Section 1. Subdivision 7 of section 240.35 of the penal law, as amended by chapter 395 of the laws of 2001, is amended and a new subdivision 8 is added to read as follows:

7. Loiters or remains in any transportation facility, or is found sleeping therein, and is unable to give a satisfactory explanation of his presence[.]; OR

8. LOITERS OR REMAINS IN ANY TRANSPORTATION FACILITY, WITHIN TWENTY-FIVE FEET OF THE TOKEN BOOTH OR SIMILAR LOCATION, FOR MORE THAN TWENTY-FIVE MINUTES, UNLESS SPECIFICALLY AUTHORIZED TO DO SO, UNLESS BECAUSE OF THE FACILITY'S SIZE OR DESIGN IT WOULD BE IMPOSSIBLE TO MAINTAIN SUCH DISTANCE.

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