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

4745

2009-2010 Regular Sessions

I N A S S E M B L Y

February 5, 2009

Introduced by M. of A. ESPAILLAT, BENJAMIN -- Multi-Sponsored by -- M. of A. ALFANO, BARRA, CLARK, HOOPER, JOHN, PERALTA, ROBINSON, TOWNS -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to unlawful surveillance in the second degree through an unlawful photograph or recording on a cellular or wireless telephone

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

Section 1. Section 250.45 of the penal law is amended by adding a new subdivision 5 to read as follows:

5. WITHOUT THE KNOWLEDGE OR CONSENT OF A PERSON, HE OR SHE INTENTIONALLY PHOTOGRAPHS OR RECORDS SUCH PERSON WITH A CELLULAR OR WIRELESS TELEPHONE.

S 2. This act shall take effect on the sixtieth day after 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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