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

6928

2009-2010 Regular Sessions

I N A S S E M B L Y

March 17, 2009

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

AN ACT to amend the penal law, in relation to establishing the crime of making lewd or threatening graffiti

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 145.61 to read as follows:

S 145.61 MAKING LEWD OR THREATENING GRAFFITI.

NO PERSON SHALL MAKE GRAFFITI, AS DEFINED BY SECTION 145.60 OF THIS ARTICLE, THAT IS LEWD OR THREATENING ON ANY BUILDING, PUBLIC OR PRIVATE, OR ANY OTHER PROPERTY REAL OR PERSONAL OWNED BY ANY PERSON, FIRM OR CORPORATION OR ANY PUBLIC AGENCY OR INSTRUMENTALITY, WITHOUT THE EXPRESS PERMISSION OF THE OWNER OR OPERATOR OF SAID PROPERTY.

MAKING LEWD OR THREATENING GRAFFITI IS A CLASS E FELONY.

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.

LBD10071-01-9