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

832

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. DINOWITZ, GALEF -- Multi-Sponsored by -- M. of A. ALFANO, BARRA, JOHN, McENENY, McKEVITT, WALKER -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the theft and criminal possession of air bags

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

Section 1. Section 155.00 of the penal law is amended by adding a new subdivision 10 to read as follows:

10. "AIR BAG" MEANS ANY AIR BAG USED IN CONNECTION WITH A MOTOR VEHICLE INFLATABLE RESTRAINT SYSTEM.

S 2. Section 155.30 of the penal law is amended by adding a new subdivision 12 to read as follows:

12. THE PROPERTY CONSISTS OF TWO OR MORE AIR BAGS.

S 3. Subdivisions 6 and 7 of section 165.45 of the penal law, subdivision 6 as added by chapter 450 of the laws of 1990 and subdivision 7 as added by chapter 394 of the laws of 2005, are amended and a new subdivision 8 is added to read as follows:

6. The property consists of a scroll, religious vestment, vessel or other item of property having a value of at least one hundred dollars kept for or used in connection with religious worship in any building or structure used as a place of religious worship by a religious corporation, as incorporated under the religious corporations law or the education law[.]; OR

7. The property consists of anhydrous ammonia or liquified ammonia gas and the actor intends to use, or knows another person intends to use, such anhydrous ammonia or liquified ammonia gas to manufacture methamphetamine[.]; OR

8. THE PROPERTY CONSISTS OF TWO OR MORE AIR BAGS.

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

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S 4. Section 165.55 of the penal law is amended by adding a new subdivision 5 to read as follows:

5. A PERSON WHO POSSESSES TWO OR MORE STOLEN AIR BAGS IS PRESUMED TO KNOW THAT SUCH AIR BAGS WERE STOLEN.

S 5. This act shall take effect on the ninetieth day after it shall have become a law.