

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sen. SAMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to creating a hazard

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

1 Section 1. Section 270.10 of the penal law is amended to read as
2 follows:
3 S 270.10 Creating a hazard.
4 A person is guilty of creating a hazard when:
5 1. Having discarded in any place where it might attract children, a
6 container which has a compartment of more than one and one-half cubic
7 feet capacity and a door or lid which locks or fastens automatically
8 when closed and which cannot easily be opened from the inside, he OR SHE
9 fails to remove the door, lid, locking or fastening device; or
10 2. Being the owner or otherwise having possession of property upon
11 which an abandoned well or cesspool is located, he OR SHE fails to cover
12 the same with suitable protective construction; OR
13 3. ABANDONS IN A PUBLIC PLACE ANY CONTROLLED SUBSTANCE OR DANGEROUS
14 DRUG AS DEFINED IN ARTICLE TWO HUNDRED TWENTY OR ARTICLE TWO HUNDRED
15 TWENTY-ONE OF THIS CHAPTER. FOR THE PURPOSES OF THIS SUBDIVISION, THE
16 TERM "ABANDONS" SHALL MEAN TO VOLUNTARILY DISCARD, LEAVE BEHIND OR
17 RELINQUISH HIS OR HER INTEREST IN SUCH PROPERTY DESCRIBED IN THIS
18 SECTION.
19 Creating a hazard is a class B misdemeanor.
20 S 2. This act shall take effect on the first of November next succeed-
21 ing 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.

LBD01969-01-9