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

3677

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

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

AN ACT to amend the penal law, in relation to loitering on school grounds

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 240.38 to read as follows:

S 240.38 LOITERING IN OR NEAR SCHOOL GROUNDS.

1. A PERSON IS GUILTY OF LOITERING IN OR NEAR SCHOOL GROUNDS WHEN HE OR SHE LOITERS OR REMAINS IN OR ABOUT SCHOOL GROUNDS, NOT HAVING ANY REASON OR RELATIONSHIP INVOLVING CUSTODY OF OR RESPONSIBILITY FOR A PUPIL OR STUDENT, OR ANY OTHER SPECIFIC, LEGITIMATE REASON FOR BEING THERE, AND NOT HAVING WRITTEN PERMISSION FROM ANYONE AUTHORIZED TO GRANT THE SAME.

2. FOR THE PURPOSES OF THIS SECTION, "SCHOOL GROUNDS" MEANS IN, ON OR WITHIN ANY BUILDING, STRUCTURE, ATHLETIC PLAYING FIELD, PLAYGROUND OR LAND CONTAINED WITHIN THE REAL PROPERTY BOUNDARY LINE OF A PUBLIC OR PRIVATE ELEMENTARY, PAROCHIAL, INTERMEDIATE, JUNIOR HIGH, VOCATIONAL, OR HIGH SCHOOL, OR A COLLEGE OR UNIVERSITY, OR WITHIN ONE THOUSAND FEET OF THE REAL PROPERTY BOUNDARY LINE COMPRISING ANY SUCH SCHOOL.

LOITERING IN OR NEAR SCHOOL GROUNDS IS A CLASS B MISDEMEANOR.

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.

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