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

7309

2009-2010 Regular Sessions

I N A S S E M B L Y

March 27, 2009

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

AN ACT to amend the penal law, in relation to creating a new crime for sale of a firefighter uniform

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 190.28 to read as follows:

S 190.28 CRIMINAL SALE OF A FIREFIGHTER UNIFORM.

A PERSON IS GUILTY OF CRIMINAL SALE OF A FIREFIGHTER UNIFORM WHEN HE OR SHE SELLS OR OFFERS FOR SALE THE UNIFORM OF ANY FIREFIGHTER TO ANY PERSON, UNLESS PRESENTED WITH A VALID PHOTO IDENTIFICATION CARD SHOWING THE PURCHASER TO BE A MEMBER OF THE FIRE DEPARTMENT WHICH HAS AUTHORIZED THE REQUESTED UNIFORM OR AN AUTHORIZATION TO PURCHASE SPECIFIED UNIFORMS SIGNED BY THE FIRE CHIEF OR THE FIRE COMMISSIONER OF SUCH FIRE DEPARTMENT ACCOMPANIED BY A PERSONAL PHOTO IDENTIFICATION. FOR PURPOSES OF THIS SECTION, "UNIFORM" SHALL INCLUDE ALL OR ANY PART OF THE UNIFORM WHICH IDENTIFIES THE WEARER AS A MEMBER OF A FIRE DEPARTMENT, SUCH AS THE UNIFORM, SHIELD, BADGE, NUMBERS OR OTHER IDENTIFYING INSIGNIAS OR EMBLEMS.

CRIMINAL SALE OF A FIREFIGHTER UNIFORM IS A CLASS A MISDEMEANOR.

S 2. This act shall take effect on the ninetieth 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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