

S. 3817

A. 7373

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

April 1, 2009

---

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

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

AN ACT to amend the penal law, in relation to the possession of a weapon  
on or in vehicles or facilities used for mass transit service by a  
transit agency constituting criminal possession of a weapon in the  
third degree

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

1     Section 1. Section 265.02 of the penal law is amended by adding a new  
2     subdivision 4 to read as follows:  
3     (4) SUCH PERSON COMMITS THE CRIME OF CRIMINAL POSSESSION OF A WEAPON  
4     IN THE FOURTH DEGREE AS DEFINED IN SUBDIVISION ONE, TWO, OR FOUR OF  
5     SECTION 265.01 OF THIS ARTICLE, WHEN SITUATED IN A SUBWAY TRAIN, SUBWAY  
6     STATION, RAILROAD TRAIN, RAILROAD STATION OR ON A BUS OPERATED BY A MASS  
7     TRANSIT PROVIDER, PUBLIC OR PRIVATE, AND SUCH PERSON USES OR ATTEMPTS TO  
8     USE SUCH WEAPON IN THE COMMISSION OF ANOTHER CRIMINAL ACT IN SUCH SUBWAY  
9     TRAIN OR STATION, RAILROAD TRAIN OR STATION, OR BUS; OR  
10    S 2. This act shall take effect immediately.

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

LBD09350-02-9