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

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 265.02 of the penal law is amended by adding a new subdivision 4 to read as follows:

(4) SUCH PERSON COMMITS THE CRIME OF CRIMINAL POSSESSION OF A WEAPON IN THE FOURTH DEGREE AS DEFINED IN SUBDIVISION ONE, TWO, OR FOUR OF SECTION 265.01 OF THIS ARTICLE, WHEN SITUATED IN A SUBWAY TRAIN, SUBWAY STATION, RAILROAD TRAIN, RAILROAD STATION OR ON A BUS OPERATED BY A MASS TRANSIT PROVIDER, PUBLIC OR PRIVATE, AND SUCH PERSON USES OR ATTEMPTS TO USE SUCH WEAPON IN THE COMMISSION OF ANOTHER CRIMINAL ACT IN SUCH SUBWAY TRAIN OR STATION, RAILROAD TRAIN OR STATION, OR BUS; OR

S 2. This act shall take effect immediately.

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

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