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

9961

I N A S S E M B L Y

February 19, 2010

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 extending drug-free school zones to include public libraries and free association libraries

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

Section 1. Subdivision 5 of section 220.44 of the penal law, as added by chapter 289 of the laws of 1998, is amended to read as follows:

5. For purposes of subdivisions three and four of this section, "the grounds of a child day care or educational facility" means (a) in or on or within any building, structure, athletic playing field, a playground, PUBLIC LIBRARY OR FREE ASSOCIATION LIBRARY, or land contained within the real property boundary line of a public or private child day care center as such term is defined in paragraph (c) of subdivision one of section three hundred ninety of the social services law, or nursery, pre-kindergarten or kindergarten, or (b) any area accessible to the public located within one thousand feet of the real property boundary line comprising any such facility or any parked automobile or other parked vehicle located within one thousand feet of the real property boundary line comprising any such facility. For the purposes of this section an "area accessible to the public" shall mean sidewalks, streets, parking lots, parks, playgrounds, PUBLIC LIBRARIES OR FREE ASSOCIATION LIBRARIES, stores and restaurants.

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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