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

79

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

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

AN ACT to amend the penal law, in relation to establishing a person is guilty of grand larceny in the fourth degree when he or she steals certain automotive fuel

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

Section 1. Subdivisions 9, 10 and 11 of section 155.30 of the penal law, subdivision 9 as added by chapter 450 of the laws of 1990, subdivision 10 as added by chapter 491 of the laws of 1992 and subdivision 11 as added by chapter 394 of the laws of 2005, are amended and a new subdivision 12 is added to read as follows:

9. The property consists of a scroll, religious vestment, vessel or other item of property having a value of at least one hundred dollars kept for or used in connection with religious worship in any building or structure used as a place of religious worship by a religious corporation, as incorporated under the religious corporations law or the education law[.]; OR

10. The property consists of an access device which the person intends to use unlawfully to obtain telephone service[.]; OR

11. The property consists of anhydrous ammonia or liquified ammonia gas and the actor intends to use, or knows another person intends to use, such anhydrous ammonia or liquified ammonia gas to manufacture methamphetamine[.]; OR

12. THE PROPERTY CONSISTS OF AUTOMOTIVE FUEL, AS SUCH TERM IS DEFINED IN SUBDIVISION FIFTEEN OF SECTION TWO HUNDRED EIGHTY-TWO OF THE TAX LAW, WITH A VALUE OF THIRTY DOLLARS OR MORE, WHENEVER SUCH PROPERTY IS DISPENSED INTO THE FUEL TANK OF A MOTOR VEHICLE AND IS TAKEN WITHOUT PAYMENT THEREFOR.

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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