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

6069

2011-2012 Regular Sessions

I N A S S E M B L Y

March 4, 2011

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

AN ACT to amend the administrative code of the city of New York, in relation to prohibiting enticement to possess stolen property

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

Section 1. The administrative code of the city of New York is amended by adding a new section 14-153 to read as follows:

S 14-153 ENTICEMENT TO POSSESS STOLEN PROPERTY PROHIBITED. A. DEFINITIONS. AS USED IN THIS SECTION, THE FOLLOWING TERMS HAVE THE FOLLOWING MEANINGS:

1. "ENTICEMENT TO POSSESS STOLEN PROPERTY" MEANS AN ACT OF A MEMBER OF THE FORCE OF THE POLICE DEPARTMENT OR OTHER LAW ENFORCEMENT OFFICER WHEREBY SUCH MEMBER OR OFFICER LEAVES PROPERTY UNATTENDED IN A PUBLIC PLACE FOR THE PURPOSE OF ENTICING INDIVIDUALS TO TAKE POSSESSION OF THE PROPERTY, SUBSEQUENT TO WHICH AN INDIVIDUAL WHO TAKES POSSESSION OF THE PROPERTY IS CHARGED WITH A VIOLATION OF THE PROVISIONS OF ARTICLES ONE HUNDRED FIFTY-FIVE AND ONE HUNDRED SIXTY-FIVE OF THE PENAL LAW.

2. "LAW ENFORCEMENT OFFICER" MEANS (I) A PEACE OFFICER OR POLICE OFFICER AS DEFINED IN THE CRIMINAL PROCEDURE LAW WHO IS EMPLOYED BY THE CITY OF NEW YORK; OR (II) A SPECIAL PATROLMAN APPOINTED BY THE POLICE COMMISSIONER PURSUANT TO SECTION 14-106 OF THIS CHAPTER.

B. PROHIBITION. EVERY MEMBER OF THE POLICE DEPARTMENT OR OTHER LAW ENFORCEMENT OFFICER SHALL BE PROHIBITED FROM ENGAGING IN ENTICEMENT TO POSSESS STOLEN PROPERTY.

S 2. This act shall take effect on the first of November next succeeding the date upon which it shall have become a law.

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

LBD09202-01-1