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

9503

I N A S S E M B L Y

March 7, 2012

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

AN ACT to amend the penal law, in relation to trespass

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

Section 1. Section 140.05 of the penal law, as amended by chapter 307 of the laws of 1971, is amended to read as follows:

S 140.05. Trespass.

A person is guilty of trespass when he knowingly:

A. enters or remains unlawfully in or upon premises; OR

B. PERMITS THE PROTRUSION OF:

I. PERSONAL PROPERTY;

II. A TREE, BUSH, SHRUB OR OTHER PLANTLIFE; OR

III. WATER FROM A HOSE, SPRINKLER OR OTHER DEVICE IN OR UPON THE PREMISES OF ANOTHER.

Trespass is a violation.

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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