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

10327

I N A S S E M B L Y

May 22, 2012

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

AN ACT to amend the general business law and the penal law, in relation to organized retail theft using an emergency exit

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

Section 1. The general business law is amended by adding a new section 393-e to read as follows:

S 393-E. ORGANIZED RETAIL THEFT USING AN EMERGENCY EXIT. A PERSON IS GUILTY OF ORGANIZED RETAIL THEFT USING AN EMERGENCY EXIT WHEN THE PROPERTY IS STOLEN FROM A RETAIL MERCANTILE ESTABLISHMENT AND, TO FACILITATE THE THEFT, THE PERSON LEAVES THE RETAIL MERCANTILE ESTABLISHMENT WITH SUCH PROPERTY BY USE OF A DESIGNATED EMERGENCY EXIT. FOR THE PURPOSES OF THIS SECTION, THE TERM "RETAIL MERCANTILE ESTABLISHMENT" SHALL MEAN A PLACE WHERE GOODS, WARES, OR MERCHANDISE ARE OFFERED TO THE PUBLIC FOR SALE.

ORGANIZED RETAIL THEFT USING AN EMERGENCY EXIT IS A CLASS E FELONY.

S 2. Section 155.30 of the penal law is amended by adding a new subdivision 12 to read as follows:

12. THE PROPERTY IS STOLEN FROM A RETAIL MERCANTILE ESTABLISHMENT AND, TO FACILITATE THE THEFT, THE PERSON LEAVES THE RETAIL MERCANTILE ESTABLISHMENT WITH SUCH PROPERTY BY USE OF A DESIGNATED EMERGENCY EXIT. FOR THE PURPOSES OF THIS SUBDIVISION, THE TERM "RETAIL MERCANTILE ESTABLISHMENT" SHALL MEAN A PLACE WHERE GOODS, WARES, OR MERCHANDISE ARE OFFERED TO THE PUBLIC FOR SALE.

S 3. 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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