

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. LATIMER, GALEF, BROOK-KRASNY, SPANO -- Multi-Sponsored by -- M. of A. BOYLAND, CLARK, GIBSON, MAISEL, MARKEY, McENENY, M. MILLER, MILLMAN, PHEFFER, PRETLOW, REILLY, THIELE, WEISENBERG -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to prohibition against unauthorized radio transmissions

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

1 Section 1. The penal law is amended by adding a new section 190.72 to  
2 read as follows:

3 S 190.72 UNAUTHORIZED RADIO TRANSMISSION.

4 A PERSON IS GUILTY OF UNAUTHORIZED RADIO TRANSMISSION WHEN SUCH  
5 PERSON:

6 1. KNOWINGLY MAKES OR CAUSES TO BE MADE A RADIO TRANSMISSION IN THIS  
7 STATE WITHOUT FIRST HAVING OBTAINED A LICENSE OR AN EXEMPTION FROM  
8 LICENSURE FROM THE FEDERAL COMMUNICATIONS COMMISSION OR OTHER APPLICABLE  
9 FEDERAL LAW OR REGULATION; OR

10 2. ACTS, WHETHER DIRECTLY OR INDIRECTLY, TO CAUSE AN UNAUTHORIZED  
11 RADIO TRANSMISSION TO, OR INTERFERENCE WITH, A PUBLIC OR COMMERCIAL  
12 RADIO STATION LICENSED BY THE FEDERAL COMMUNICATIONS COMMISSION OR TO  
13 ENABLE THE RADIO TRANSMISSION OR INTERFERENCE TO OCCUR.

14 A PERSON CONVICTED OF UNAUTHORIZED RADIO TRANSMISSION SHALL BE GUILTY  
15 OF A CLASS D FELONY.

16 S 2. This act shall take effect on the first of November next succeed-  
17 ing 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.

LBD00709-01-1