

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

326--B

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, PAULIN, P. RIVERA, JAFFEE, COLTON, REILLY, BRONSON, WEPRIN, BARRON, MAISEL, LAVINE, RODRIGUEZ -- Multi-Sponsored by -- M. of A. BOYLAND, BURLING, CLARK, CROUCH, GABRYSZAK, GIBSON, MARKEY, McDONOUGH, McENENY, McKEVITT, M. MILLER, MILLMAN, MONTESANO, MURRAY, PRETLOW, RAI, SALADINO, SCHIMEL, THIELE, WEISENBERG -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to 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 AN UNAUTHORIZED RADIO TRANSMISSION WHEN SUCH
5 PERSON KNOWINGLY MAKES OR CAUSES TO BE MADE A RADIO TRANSMISSION IN THIS
6 STATE, ON A RADIO FREQUENCY ASSIGNED AND LICENSED BY THE FEDERAL COMMU-
7 NICATIONS COMMISSION FOR USE BY AMPLITUDE MODULATION (AM) RADIO STATIONS
8 BETWEEN THE FREQUENCIES OF FIVE HUNDRED THIRTY KILOHERTZ (KHZ) TO SEVEN-
9 TEEN HUNDRED KILOHERTZ (KHZ), OR FREQUENCY MODULATION (FM) RADIO
10 STATIONS BETWEEN THE FREQUENCIES OF EIGHTY-EIGHT MEGAHERTZ (MHZ) TO ONE
11 HUNDRED EIGHT MEGAHERTZ (MHZ), WITHOUT AUTHORIZATION OR HAVING FIRST
12 OBTAINED A LICENSE FROM THE FEDERAL COMMUNICATIONS COMMISSION OR DULY
13 AUTHORIZED FEDERAL AGENCY, IN VIOLATION OF FEDERAL LAW.
14 UNAUTHORIZED RADIO TRANSMISSION IS A CLASS A MISDEMEANOR.
15 S 2. This act shall take effect on the one hundred eightieth day after
16 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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