

435

2011-2012 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 5, 2011

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

AN ACT to amend the penal law, in relation to the possession of  
disguised knives

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

1     Section 1. Section 265.00 of the penal law is amended by adding a new  
2     subdivision 24 to read as follows:  
3     24. "DISGUISED KNIFE" MEANS ANY KNIFE WHICH IS DESIGNED TO APPEAR AS  
4     AN OBJECT OTHER THAN A KNIFE, SUCH AS A COMB, WRITING INSTRUMENT, CIGARETTE  
5     LIGHTER OR OTHER OBJECT COMMONLY CARRIED ON THE PERSON, AND WHICH  
6     INCLUDES A BLADE CONCEALED WITHIN SUCH OBJECT.  
7     S 2. Subdivisions 6, 7 and 8 of section 265.01 of the penal law,  
8     subdivision 6 as added by chapter 1041 of the laws of 1974, subdivision  
9     7 as added by chapter 807 of the laws of 1981 and subdivision 8 as added  
10    by chapter 646 of the laws of 1986, are amended and a new subdivision 9  
11    is added to read as follows:  
12    (6) He OR SHE is a person who has been certified not suitable to  
13    possess a rifle or shotgun, as defined in subdivision sixteen of section  
14    265.00, and refuses to yield possession of such rifle or shotgun upon  
15    the demand of a police officer. Whenever a person is certified not suitable  
16    to possess a rifle or shotgun, a member of the police department to  
17    which such certification is made, or of the state police, shall forthwith  
18    seize any rifle or shotgun possessed by such person. A rifle or  
19    shotgun seized as herein provided shall not be destroyed, but shall be  
20    delivered to the headquarters of such police department, or state  
21    police, and there retained until the aforesaid certificate has been  
22    rescinded by the director or physician in charge, or other disposition  
23    of such rifle or shotgun has been ordered or authorized by a court of  
24    competent jurisdiction[.]; OR

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

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1       (7) He OR SHE knowingly possesses a bullet containing an explosive  
2 substance designed to detonate upon impact[.]; OR  
3       (8) He OR SHE possesses any armor piercing ammunition with intent to  
4 use the same unlawfully against another[.]; OR  
5       (9) HE OR SHE POSSESSES ANY DISGUISED KNIFE.  
6       S 3. This act shall take effect on the first of November next succeed-  
7 ing the date on which it shall have become a law.