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

7224

2011-2012 Regular Sessions

I N A S S E M B L Y

April 19, 2011

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

AN ACT to amend the penal law, in relation to the display of fireworks

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

Section 1. Subdivision 5 of section 405.00 of the penal law is amended to read as follows:

5. Local ordinances [superseded]. All local ordinances regulating or prohibiting the display of fireworks are hereby superseded by the provisions of this section. Every city, town or village shall have the power to enact ordinances or local laws [regulating]:

(A) REGULATING or prohibiting the use, or the storage, transportation or sale for use of fireworks in the preparation for or in connection with television broadcasts; AND

(B) PROVIDING AN EXEMPTION FROM PAYMENT OF ANY FEES FOR A PERMIT TO DISPLAY FIREWORKS IN CONNECTION WITH ANY CHARITABLE, CULTURAL, EDUCATIONAL OR RELIGIOUS EVENT HELD BY ANY CORPORATION, COMMUNITY CHEST, FUND OR FOUNDATION, ORGANIZED AND OPERATED EXCLUSIVELY FOR RELIGIOUS, CHARITABLE, SCIENTIFIC, TESTING FOR PUBLIC SAFETY, LITERARY, OR EDUCATIONAL PURPOSES AS DEFINED BY THE INTERNAL REVENUE CODE SECTION 501(C)(3).

S 2. This act shall take effect immediately.

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

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