

2510--B

Cal. No. 307

2011-2012 Regular Sessions

I N S E N A T E

January 24, 2011

Introduced by Sens. GIANARIS, AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the penal law, in relation to obstructing governmental duties by means of a bomb, destructive device, explosive, or hazardous substance

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 195.17 to
2 read as follows:
3 S 195.17 OBSTRUCTION OF GOVERNMENTAL DUTIES BY MEANS OF A BOMB, DESTRUC-
4 TIVE DEVICE, EXPLOSIVE, OR HAZARDOUS SUBSTANCE.
5 A PERSON IS GUILTY OF OBSTRUCTION OF GOVERNMENTAL DUTIES BY MEANS OF A
6 BOMB, DESTRUCTIVE DEVICE, EXPLOSIVE, OR HAZARDOUS SUBSTANCE WHEN HE OR
7 SHE, IN FURTHERANCE OF A FELONY OFFENSE, KNOWINGLY AND UNLAWFULLY
8 INSTALLS OR CAUSES TO BE INSTALLED A BOMB, DESTRUCTIVE DEVICE,
9 EXPLOSIVE, OR HAZARDOUS SUBSTANCE, IN ANY OBJECT, PLACE, OR COMPARTMENT
10 THAT IS SUBJECT TO A SEARCH SO AS TO OBSTRUCT, PREVENT, HINDER OR DELAY
11 THE ADMINISTRATION OF LAW OR PERFORMANCE OF A GOVERNMENT FUNCTION.
12 OBSTRUCTION OF GOVERNMENTAL DUTIES BY MEANS OF A BOMB, DESTRUCTIVE
13 DEVICE, EXPLOSIVE, OR HAZARDOUS SUBSTANCE IS A CLASS D FELONY.
14 S 2. This act shall take effect on the ninetieth day after it shall
15 have become a law.

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

LBD05741-11-1