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

2534

2011-2012 Regular Sessions

I N S E N A T E

January 25, 2011

Introduced by Sen. GIANARIS -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to expanding the definition of dangerous contraband to include telecommunications and electronic recording devices

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

Section 1. Subdivision 4 of section 205.00 of the penal law is amended to read as follows:

4. "Dangerous contraband" means contraband which is capable of such use as may endanger the safety or security of a detention facility or any person therein, WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO, A TELECOMMUNICATIONS OR ELECTRONIC RECORDING DEVICE. FOR PURPOSES OF THIS SUBDIVISION, A "TELECOMMUNICATIONS OR ELECTRONIC RECORDING DEVICE" MEANS ANY TYPE OF INSTRUMENT, DEVICE, MACHINE OR EQUIPMENT THAT IS DESIGNED TO TRANSMIT AND/OR RECEIVE TELEPHONIC, ELECTRONIC, DIGITAL, CELLULAR OR RADIO SIGNALS OR COMMUNICATIONS OR ANY PART OF SUCH INSTRUMENT, DEVICE, MACHINE OR EQUIPMENT, AS WELL AS ANY TYPE OF INSTRUMENT DESIGNED TO HAVE SOUND OR IMAGE RECORDING ABILITIES AND SHALL INCLUDE, BUT NOT BE LIMITED TO, A CELLULAR OR DIGITAL PHONE, A PAGER, A TWO-WAY RADIO TEXT MESSAGING OR MODEM DEVICE (INCLUDING MODEM EQUIPMENT DEVICES), A CAMERA, A VIDEO RECORDER AND TAPE OR DIGITAL RECORDING DEVICES, OR ANY OTHER DEVICE THAT HAS SAID CAPABILITIES.

S 2. This act shall take effect on the ninetieth day after 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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