

5270

2011-2012 Regular Sessions

I N S E N A T E

May 3, 2011

Introduced by Sen. BALL -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the penal law, in relation to soliciting or providing support for an act of terrorism

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

1 Section 1. Sections 490.10 and 490.15 of the penal law, as added by
2 chapter 300 of the laws of 2001, are amended and a new section 490.12 is
3 added to read as follows:
4 S 490.10 Soliciting or providing support for an act of terrorism in the
5 [second] THIRD degree.
6 A person commits soliciting or providing support for an act of terror-
7 ism in the [second] THIRD degree when, with intent that material support
8 or resources will be used, in whole or in part, to plan, prepare, carry
9 out or aid in either an act of terrorism or the concealment of, or an
10 escape from, an act of terrorism, he or she raises, solicits, collects
11 or provides material support or resources.
12 Soliciting or providing support for an act of terrorism in the
13 [second] THIRD degree is a class D felony.
14 S 490.12 SOLICITING OR PROVIDING SUPPORT FOR AN ACT OF TERRORISM IN THE
15 SECOND DEGREE.
16 A PERSON COMMITS SOLICITING OR PROVIDING SUPPORT FOR AN ACT OF TERROR-
17 ISM IN THE SECOND DEGREE WHEN HE OR SHE COMMITS THE CRIME OF SOLICITING
18 OR PROVIDING SUPPORT FOR AN ACT OF TERRORISM IN THE THIRD DEGREE, AND
19 THE TOTAL VALUE OF MATERIAL SUPPORT OR RESOURCES EXCEEDS ONE THOUSAND
20 DOLLARS, OR THE TOTAL VALUE OF MATERIAL SUPPORT OR RESOURCES IS IN ANY
21 AMOUNT AND SUCH SOLICITING OR PROVIDING INVOLVES THE USE OF A CREDIT
22 CARD.
23 SOLICITING OR PROVIDING SUPPORT FOR AN ACT OF TERRORISM IN THE SECOND
24 DEGREE IS A CLASS C FELONY.

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

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1 S 490.15 Soliciting or providing support for an act of terrorism in the
2 first degree.
3 A person commits soliciting or providing support for an act of terror-
4 ism in the first degree when he or she commits the crime of soliciting
5 or providing support for an act of terrorism in the THIRD OR second
6 degree and the total value of material support or resources exceeds
7 [one] FIVE thousand dollars.
8 Soliciting or providing support for an act of terrorism in the first
9 degree is a class [C] B felony.
10 S 2. This act shall take effect on the first of November next succeed-
11 ing the date on which it shall have become a law.