

1058

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

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

AN ACT to amend the penal law, in relation to criminal trespass and
burglary upon the premises of a pharmacy

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

1 Section 1. Section 140.00 of the penal law is amended by adding a new
2 subdivision 6 to read as follows:

3 6. "PHARMACY" MEANS THAT AREA WITHIN A BUILDING AT WHICH THE PRACTICE
4 OF THE PROFESSION OF PHARMACY IS CONDUCTED PURSUANT TO ARTICLE ONE
5 HUNDRED THIRTY-SEVEN OF THE EDUCATION LAW.

6 S 2. Subdivision 1 of section 140.15 of the penal law, as amended by
7 chapter 315 of the laws of 2010, is amended to read as follows:

8 1. he or she knowingly enters or remains unlawfully in a dwelling OR A
9 PHARMACY; or

10 S 3. Subdivision 2 of section 140.25 of the penal law, as amended by
11 chapter 361 of the laws of 1981, is amended to read as follows:

12 2. The building is a dwelling, OR THE PORTION OF THE BUILDING THAT IS
13 A PHARMACY.

14 S 4. The opening paragraph of section 140.30 of the penal law, as
15 amended by chapter 361 of the laws of 1981, is amended to read as
16 follows:

17 A person is guilty of burglary in the first degree when he OR SHE
18 knowingly enters or remains unlawfully in a dwelling OR A PHARMACY with
19 intent to commit a crime therein, and when, in effecting entry or while
20 in the dwelling or in immediate flight therefrom, he OR SHE or another
21 participant in the crime:

22 S 5. This act shall take effect on the first of November next
23 succeeding the date on which 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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