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

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I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. CROUCH, KOLB, McKEVITT, BARCLAY, DUPREY, HAWLEY, OAKS, RAIA -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to creating the crime of agri-bioterrorism

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

Section 1. The penal law is amended by adding a new section 490.21 to read as follows:

S 490.21 CRIME OF AGRI-BIOTERRORISM.

A PERSON IS GUILTY OF AGRI-BIOTERRORISM WHEN WITH INTENT TO INTIMIDATE OR COERCE A CIVILIAN POPULATION, INFLUENCE THE POLICY OF A UNIT OF GOVERNMENT BY INTIMIDATION OR COERCION, OR AFFECT THE CONDUCT OF A UNIT OF GOVERNMENT, HE OR SHE:

1. DESIGNS, DEVELOPS AND UTILIZES A PROCESS OR PROCESSES TO GENETICALLY ALTER PLANT LIFE USED FOR HUMAN CONSUMPTION WITH THE INTENT TO RENDER SAID PLANT LIFE TOXIC OR UNSUITABLE FOR HUMAN OR LIVESTOCK CONSUMPTION;

2. INTENTIONALLY INTRODUCES AN ANIMAL VIRUS, PATHOGEN, OR BACTERIA WHICH WOULD KILL LIVESTOCK OR RENDER THE BY-PRODUCTS OF SUCH LIVESTOCK UNUSABLE FOR HUMAN CONSUMPTION;

3. INTENTIONALLY DEFILES, CORRUPTS OR ALTERS THE FOOD OR FARM PRODUCT WITH THE INTENT TO SICKEN OR KILL PERSONS OR ANIMALS; OR

4. INTENTIONALLY MANUFACTURES, DESIGNS, OR ALTERS GENETIC MATERIAL TO RESULT IN A PATHOGEN, VIRUS OR BACTERIA CAPABLE OF DISRUPTING OR DESTROYING THE FOOD OR FARM PRODUCT.

AGRI-BIOTERRORISM IS A CLASS B FELONY.

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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