

3585

2013-2014 Regular Sessions

I N A S S E M B L Y

January 28, 2013

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

AN ACT to amend the penal law, in relation to the possession of a weapon on or in vehicles or facilities used for mass transit service by a transit agency constituting criminal possession of a weapon in the third degree

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

1 Section 1. Section 265.02 of the penal law is amended by adding a new
2 subdivision 4 to read as follows:
3 (4) SUCH PERSON COMMITS THE CRIME OF CRIMINAL POSSESSION OF A WEAPON
4 IN THE FOURTH DEGREE AS DEFINED IN SUBDIVISION ONE, TWO, OR FOUR OF
5 SECTION 265.01 OF THIS ARTICLE, WHEN SITUATED IN A SUBWAY TRAIN, SUBWAY
6 STATION, RAILROAD TRAIN, RAILROAD STATION OR ON A BUS OPERATED BY A MASS
7 TRANSIT PROVIDER, PUBLIC OR PRIVATE, AND SUCH PERSON USES OR ATTEMPTS TO
8 USE SUCH WEAPON IN THE COMMISSION OF ANOTHER CRIMINAL ACT IN SUCH SUBWAY
9 TRAIN OR STATION, RAILROAD TRAIN OR STATION, OR BUS; OR
10 S 2. This act shall take effect immediately.

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

LBD05814-01-3