

4271

2013-2014 Regular Sessions

I N A S S E M B L Y

February 1, 2013

Introduced by M. of A. CUSICK, GUNTHER, TITONE, SCARBOROUGH, CRESPO,
ZEBROWSKI, WEPRIN -- Multi-Sponsored by -- M. of A. CLARK, GIBSON,
MAGEE, SIMANOWITZ -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to organized retail theft
using an emergency exit

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

1 Section 1. Section 155.30 of the penal law is amended by adding a new
2 subdivision 12 to read as follows:
3 12. THE PROPERTY IS STOLEN FROM A RETAIL MERCANTILE ESTABLISHMENT AND,
4 TO FACILITATE AN ORGANIZED RETAIL CRIME, THE PERSON LEAVES THE RETAIL
5 MERCANTILE ESTABLISHMENT WITH SUCH PROPERTY BY USE OF A DESIGNATED EMER-
6 GENCY EXIT. FOR THE PURPOSES OF THIS SUBDIVISION, THE TERM "RETAIL
7 MERCANTILE ESTABLISHMENT" SHALL MEAN A PLACE WHERE GOODS, WARES, OR
8 MERCHANDISE ARE OFFERED TO THE PUBLIC FOR SALE. FOR PURPOSES OF THIS
9 SUBDIVISION, ORGANIZED RETAIL CRIME SHALL MEAN THE STEALING, EMBEZZLE-
10 MENT, OR OBTAINING BY FRAUD, FALSE PRETENSES, OR OTHER ILLEGAL MEANS, OF
11 RETAIL MERCHANDISE IN QUANTITIES THAT WOULD NOT NORMALLY BE PURCHASED
12 FOR PERSONAL USE OR CONSUMPTION, FOR THE PURPOSE OF RESELLING, TRADING,
13 OR OTHERWISE REENTERING SUCH RETAIL MERCHANDISE INTO COMMERCE.
14 S 2. This act shall take effect on the first of November next succeed-
15 ing 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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