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I N   A S S E M B L Y

February 3, 2014

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

AN ACT to amend the penal law, in relation to the possession of anti-se-  
curity items

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 TAKEN BY A PERSON WHO IS IN POSSESSION OF AN  
4     ANTI-SECURITY ITEM. FOR THE PURPOSES OF THIS SUBDIVISION AN "ANTI-SECUR-  
5     ITY ITEM" IS DEFINED AS AN ITEM DESIGNED FOR THE PURPOSE OF OVERCOMING  
6     DETECTION OF SECURITY MARKINGS OR ATTACHMENTS PLACED ON PROPERTY OFFERED  
7     FOR SALE AT SUCH AN ESTABLISHMENT.  
8     S 2. Section 170.47 of the penal law, as added by chapter 580 of the  
9     laws of 1983, is amended to read as follows:  
10    S 170.47 Criminal possession of an anti-security item.  
11    A person is guilty of criminal possession of an anti-security item,  
12    when with intent to steal property at a retail mercantile establishment  
13    as defined in article twelve-B of the general business law, he knowingly  
14    possesses in such an establishment an item designed for the purpose of  
15    overcoming detection of security markings or attachments placed on prop-  
16    erty offered for sale at such an establishment.  
17    Criminal possession of an anti-security item is a class [B] A misde-  
18    meanor.  
19    S 3. This act shall take effect on the first of November next succeed-  
20    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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