

3490

2013-2014 Regular Sessions

I N S E N A T E

February 4, 2013

Introduced by Sen. ESPAILLAT -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to the prohibition against unauthorized radio transmissions

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

1 Section 1. Section 190.72 of the penal law, as added by chapter 361 of
2 the laws of 2011, is amended to read as follows:

3 S 190.72 Unauthorized radio transmission.

4 A person is guilty of an unauthorized radio transmission when such
5 person:

6 1. knowingly makes or causes to be made a radio transmission in this
7 state, on a radio frequency assigned and licensed by the federal commu-
8 nications commission for use by amplitude modulation (AM) radio stations
9 between the frequencies of five hundred thirty kilohertz (kHz) to seven-
10 teen hundred kilohertz (kHz), or frequency modulation (FM) radio
11 stations between the frequencies of eighty-eight megahertz (MHz) to one
12 hundred eight megahertz (MHz), without authorization or having first
13 obtained a license from the federal communications commission or duly
14 authorized federal agency, in violation of federal law; OR

15 2. ACTS, WHETHER DIRECTLY OR INDIRECTLY, TO CAUSE AN UNAUTHORIZED
16 RADIO TRANSMISSION TO, OR INTERFERENCE WITH, A PUBLIC OR COMMERCIAL
17 RADIO STATION LICENSED BY THE FEDERAL COMMUNICATIONS COMMISSION OR TO
18 ENABLE THE RADIO TRANSMISSION OR INTERFERENCE TO OCCUR.

19 Unauthorized radio transmission is a class [A misdemeanor] D FELONY.

20 S 2. This act shall take effect on the first of November next succeed-
21 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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