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

3886

2013-2014 Regular Sessions

I N S E N A T E

February 26, 2013

Introduced by Sen. BALL -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the penal law, in relation to soliciting or providing support for an act of terrorism

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

Section 1. Sections 490.10 and 490.15 of the penal law, as added by chapter 300 of the laws of 2001, are amended and a new section 490.12 is added to read as follows:

S 490.10 Soliciting or providing support for an act of terrorism in the [second] THIRD degree.

A person commits soliciting or providing support for an act of terrorism in the [second] THIRD degree when, with intent that material support or resources will be used, in whole or in part, to plan, prepare, carry out or aid in either an act of terrorism or the concealment of, or an escape from, an act of terrorism, he or she raises, solicits, collects or provides material support or resources.

Soliciting or providing support for an act of terrorism in the [second] THIRD degree is a class D felony.

S 490.12 SOLICITING OR PROVIDING SUPPORT FOR AN ACT OF TERRORISM IN THE SECOND DEGREE.

A PERSON COMMITS SOLICITING OR PROVIDING SUPPORT FOR AN ACT OF TERRORISM IN THE SECOND DEGREE WHEN HE OR SHE COMMITS THE CRIME OF SOLICITING OR PROVIDING SUPPORT FOR AN ACT OF TERRORISM IN THE THIRD DEGREE, AS DEFINED IN SECTION 490.10 OF THIS ARTICLE, AND THE TOTAL VALUE OF MATERIAL SUPPORT OR RESOURCES EXCEEDS ONE THOUSAND DOLLARS, OR THE TOTAL VALUE OF MATERIAL SUPPORT OR RESOURCES IS IN ANY AMOUNT AND SUCH SOLICITING OR PROVIDING INVOLVES THE USE OF A CREDIT CARD.

SOLICITING OR PROVIDING SUPPORT FOR AN ACT OF TERRORISM IN THE SECOND DEGREE IS A CLASS C FELONY.

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

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S 490.15 Soliciting or providing support for an act of terrorism in the first degree.

A person commits soliciting or providing support for an act of terrorism in the first degree when he or she commits the crime of soliciting or providing support for an act of terrorism in the THIRD OR second degree, AS DEFINED IN SECTIONS 490.10 AND 490.12 OF THIS ARTICLE, RESPECTIVELY, and the total value of material support or resources exceeds [one] FIVE thousand dollars.

Soliciting or providing support for an act of terrorism in the first degree is a class [C] B felony.

S 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.