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

4563

2015-2016 Regular Sessions

I N A S S E M B L Y

February 3, 2015

Introduced by M. of A. CLARK, ABINANTI, COOK, ARROYO, MOSLEY, SKARTADOS -- Multi-Sponsored by -- M. of A. GOTTFRIED, ROBINSON, SEPULVEDA -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the crime of eavesdropping

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

Section 1. This act shall be known and may be cited as the "open camera/neighborhood watch act of 2015".

S 2. Section 250.05 of the penal law, as amended by chapter 744 of the laws of 1988, is amended to read as follows:

S 250.05 Eavesdropping.

A person is guilty of eavesdropping when he OR SHE unlawfully engages in wiretapping, mechanical overhearing of a conversation, or intercepting or accessing of an electronic communication, EXCEPT WHEN A MEMBER OF THE GENERAL PUBLIC IS RECORDING A CRIME IN PROGRESS OR ANY UNLAWFUL PRACTICE AND PRESENTS THIS RECORDED MATERIAL TO THE PROPER AUTHORITIES.

Eavesdropping is a class E felony.

S 3. This act shall take effect on the ninetieth day after 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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