

6494

2015-2016 Regular Sessions

I N A S S E M B L Y

March 25, 2015

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

AN ACT to amend the penal law, in relation to the prevention of organized retail crime

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

1 Section 1. Subdivisions 9, 10 and 11 of section 155.30 of the penal
2 law, subdivision 9 as amended by chapter 479 of the laws of 2010, subdivision
3 10 as added by chapter 491 of the laws of 1992 and subdivision 11
4 as added by chapter 394 of the laws of 2005, are amended and two new
5 subdivisions 12 and 13 are added to read as follows:
6 9. The property consists of a scroll, religious vestment, a vessel, an
7 item comprising a display of religious symbols which forms a representative
8 expression of faith, or other miscellaneous item of property
9 which:
10 (a) has a value of at least one hundred dollars; and
11 (b) is kept for or used in connection with religious worship in any
12 building, structure or upon the curtilage of such building or structure
13 used as a place of religious worship by a religious corporation, as
14 incorporated under the religious corporations law or the education
15 law[.]; OR
16 10. The property consists of an access device which the person intends
17 to use unlawfully to obtain telephone service[.]; OR
18 11. The property consists of anhydrous ammonia or liquified ammonia
19 gas and the actor intends to use, or knows another person THAT intends
20 to use, such anhydrous ammonia or liquified ammonia gas to manufacture
21 methamphetamine[.]; OR
22 12. THE PROPERTY IS STOLEN FROM A RETAIL MERCANTILE ESTABLISHMENT AS
23 DEFINED IN SECTION TWO HUNDRED SEVENTEEN OF THE GENERAL BUSINESS LAW AND

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

LBD08705-02-5

1 THE AGGREGATED VALUE OF PRICE TAGS, STICKER PRICES, OR OTHERWISE ADVER-
2 TISED RETAIL PRICES OF SUCH PROPERTY EXCEEDS ONE THOUSAND DOLLARS; OR
3 13. THE PROPERTY IS STOLEN BY ONE PERSON, OR BY TWO OR MORE PERSONS
4 WORKING IN ASSOCIATION, FROM ONE OR MORE THAN ONE RETAIL MERCANTILE
5 ESTABLISHMENT AS DEFINED IN SECTION TWO HUNDRED SEVENTEEN OF THE GENERAL
6 BUSINESS LAW WITHIN A PERIOD OF SIXTY DAYS OR LESS BETWEEN THE FIRST AND
7 SECOND EPISODE, THE SECOND AND THIRD EPISODE, OR BETWEEN ANY SUCCEEDING
8 EPISODES, AND THE AGGREGATED VALUE OF PRICE TAGS, STICKER PRICES, OR
9 OTHERWISE ADVERTISED RETAIL PRICES OF SUCH PROPERTY EXCEEDS ONE THOUSAND
10 DOLLARS.
11 S 2. This act shall take effect on the first of November next succeed-
12 ing the date on which it shall have become a law.