

9942

I N   A S S E M B L Y

May 2, 2016

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Introduced by M. of A. RICHARDSON -- 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:

1     Section 1. This act shall be known and may be cited as the "open  
2 camera/neighborhood watch act of 2016".  
3     S 2. Section 250.05 of the penal law, as amended by chapter 744 of the  
4 laws of 1988, is amended to read as follows:  
5 S 250.05 Eavesdropping.  
6     A person is guilty of eavesdropping when he OR SHE unlawfully engages  
7 in wiretapping, mechanical overhearing of a conversation, or intercept-  
8 ing or accessing of an electronic communication, EXCEPT WHEN A MEMBER OF  
9 THE GENERAL PUBLIC IS RECORDING A CRIME IN PROGRESS OR ANY UNLAWFUL  
10 PRACTICE AND PRESENTS THIS RECORDED MATERIAL TO THE PROPER AUTHORITIES.  
11     Eavesdropping is a class E felony.  
12     S 3. This act shall take effect on the ninetieth day after it shall  
13 have become a law.

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

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