STATE OF NEW YORK

914

2017-2018 Regular Sessions

IN ASSEMBLY

January 9, 2017

Introduced by M. of A. ABINANTI, MOSLEY, GALEF, JAFFEE, GOTTFRIED, BLAKE, RICHARDSON, COLTON, RIVERA, SEPULVEDA, BUCHWALD, HOOPER, WEPRIN -- Multi-Sponsored by -- M. of A. GLICK, LAWRENCE, RAMOS, WALKER -read once and referred to the Committee on Codes

AN ACT to amend the penal law and the criminal procedure law, in relation to establishing crimes relating to the criminal possession or manufacture of undetectable firearms, rifles or shotguns

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1	Section 1. Section 265.00 of the penal law is amended by adding two
2	new subdivisions 3-a and 26 to read as follows:
3	3-a. "Major component of a firearm, rifle, or shotgun" means the
4	barrel, the slide or cylinder, the frame, or receiver of the firearm,
5	rifle, or shotqun.
6	26. "Undetectable" means not detectable by an X-ray machine, portable
7	pulsed x-ray generator, metal detector or magnetometer when set at a
8	standard calibration, or any other machine used to screen or inspect a
9	<u>person and an object for a firearm, rifle, or shotqun.</u>
10	§ 2. The penal law is amended by adding two new sections 265.50 and
11	265.55 to read as follows:
12	§ 265.50 Criminal manufacture, sale, or transport of an undetectable
13	firearm.
14	A person is quilty of criminal manufacture, sale, or transport of an
15	undetectable firearm when he or she knowingly manufactures, causes to be
16	manufactured, sells, exchanges, gives, disposes of, transports, ships,
17	or possesses with the intent to sell:
18	1. any firearm, rifle, or shotgun that, after removal of grips, stocks
19	and magazines, is undetectable; or
20	2. any major component of a firearm, rifle, or shotgun which is unde-
21	tectable.

EXPLANATION--Matter in <u>italics</u> (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD03328-01-7

A. 914

a class D felonor. a class D felonor. 5 265.55 Criminal possession of an undetectable firearm. A person is guilty of criminal possession of an undetectable firearm. when he or she knowingly possesses an undetectable firearm. rifle or shotsun. Criminal possession of an undetectable firearm is a class E felony. 8 3. The opening paragraph and the opening paragraph of paragraph 1 of subdivision a of section 265.20 of the penal law, the opening paragraph 1 as amended by section 1 of part FP of chapter 57 of the laws of 2013 and 12 the opening paragraph of paragraph 1 as amended by chapter 1041 of the laws of 1974, are amended to read as follows: Paragraph (h) of subdivision twenty-two of section 265.00 and sections 265.01, 265.01, 265.01, 265.01, 265.03, 265.53, 265.33, 265.34, 265.05, 265.30, 265.11, 265.12, 265.05, 265.55, and 270.05 shall not apply to: Possession of any of the weapons, instruments, appliances or substances specified in sections 265.01, 265.02, 265.55, 265.25	1	<u>Criminal manufacture, sale, or transport of an undetectable firearm is</u>
 § 265.55 Criminal possession of an undetectable firearm. A person is guilty of criminal possession of an undetectable firearm, rifle or shotgum or any undetectable malor component of a firearm, rifle or shotgum. Criminal possession of an undetectable firearm is a class E felony. § 3. The opening paragraph and the opening paragraph of paragraph of subdivision a of section 265.20 of the penal law, the opening paragraph at the opening paragraph of paragraph is a mended by section 1 of part FF of chapter 57 of the laws of 2013 and the opening paragraph of paragraph is a mended by chapter 1041 of the laws of 1974, are amended to read as follows: Paragraph (h) of subdivision twenty-two of section 265.00 and sections 265.01, 265.01, 265.10, 265.11, 265.12, 265.13, 265.13, 265.37, 265.02, 265.55 and 270.05 shall not apply to: Possession of any of the weapons, instruments, appliances or substances specified in sections 265.01, 265.02, 265.02, 265.20, 265.55, 265.20, 265.55 and 270.05 by the following: § 4. Paragraph (c) of subdivision 1 of section 70.02 of the penal law, as amended by chapter 368 of the laws of 2015, is amended to read as follows: (c) Class D violent felony offenses: an attempt to commit any of the class C felonies set forth in paragraph (b); reckless assault of a child as defined in section 120.02, assault in the second degree as defined in section 130.45, sexual actu in the second degree as defined in section 130.45, sexual actus in the second degree as defined in section 130.45, assual acti in the second degree as defined in section 130.65, facilitating a sex offense with a controlled subscince as defined in section 130.65, facilitating a sex offense with a controlled subscance as defined in section 130.90, labor trafficking as defined in section 130.65, assual actus 400, aggravated sexual abuse in the third degree as defined in section 130.65, labor trafficking as defined in section 130.66, facili		
 A person is guilty of criminal possession of an undetectable firearm. rifle or shotgum or any undetectable maior component of a firearm. rifle or shotgum. Criminal possession of an undetectable firearm is a class E felony. S . The opening paragraph and the opening paragraph of paragraph 1 of subdivision a of section 265.20 of the penal law, the opening paragraph 1 as amended by section 1 of part FF of chapter 57 of the laws of 2013 and the opening paragraph (p aragraph 1 as amended by chapter 1041 of the laws of 1974, are amended to read as follows: Paragraph (h) of subdivision twenty-two of section 265.00 and sections 265.01, 265.05, 265.10, 265.11, 265.12, 265.01, 265.01, 265.01, 265.01, 265.01, 265.02, 265.53, 265.37, 265.50, 265.55, 265.10, 265.11, 265.02, 265.03, 265.04, 265.05, 265.05, 265.00, 265.01, 265.01, 265.01, 265.02, 265.03, 265.04, 265.05, 265.55, 265.51, 265.02, 265.55, 265.02, 265.55, and 270.05 shall not apply to: Possession of any of the weapons, instruments, appliances or substances specified in sections 265.01, is amended to read as follows: § 4. Paragraph (c) of subdivision 1 of section 70.02 of the penal law, as amended by chapter 368 of the laws of 2015, is amended to read as follows: (c) Class D violent felony offenses: an attempt to commit any of the class C felonies set forth in paragraph (b)' reckless assault of a child as defined in section 120.02, assault in the second degree as defined in section 130.65, meancing a police officer or peace officer as defined in section 130.45, sexual actus in the second degree as defined in section 130.65, facilitating a sex offense with a controlled is section 130.66, facilitating a sex offense with a controlled is usbtance as defined in section 130.66, facilitating a sex offense with a controlled is usbtance as defined in section 130.65, course of section 230.65, lad and (b) of subdivision three of section 135.35, criminal paragraphs (a) and (b) of subdivis		
5 when he or she knowingly possesses an undetectable firearm, rifle or shotgun. Criminal possession of an undetectable firearm is a class E felony. 8 3. The opening paragraph and the opening paragraph of paragraph 1 of usubdivision a of section 265.20 of the penal law, the opening paragraph 1 of subdivision a of section 265.20 of the penal law, the opening paragraph 1 of parts F7 of the laws of 2013 and 12 the opening paragraph of paragraph 1 as amended by section 1 of part F7 of chapter 57 of the laws of 2013 and 12 the opening paragraph of paragraph 1 as amended by chapter 1041 of the laws of 1974, are amended to read as follows: Paragraph (h) of subdivision twenty-two of section 265.00 and sections 265.01, 265.01-2, [subdivision one of section 265.02, 265.03, 265.53, 265.55, and 270.05 by the follows: Possession of any of the weapons, instruments, appliances or substances specified in sections 265.01, 265.02, 265.55, 265.55, 265.55, and 270.05 by the following: 8 4. Paragraph (c) of subdivision 1 of section 70.02 of the penal law, as amended by chapter 368 of the laws of 2015, is amended to read as follows: (c) Class D violent felony offenses: an attempt to commit any of the class C felonies set forth in paragraph (b); reckless assault of a child as defined in section 120.02, assault in the second degree as defined in section 120.18, stalking in the first degree, as defined in section 130.45, curve of section 130.65, course of sexual abuse in the first degree as defined in section 130.45, sexual abuse in the first degree as defined in section 130.45, sexual abuse in the second degree as defined in section 130.45, sexual abuse in the first degree as defined in section 130.66, facilitating a sex offense with a controlled subscance as defined in section 130.50, labor trafficking as defined in section 130.66, facilitating a sex offense with a controlled subscance as defined in section 130.60, laggravated sexual abuse in the third degree as defined in section 130.65, soliciting or providing support for an act		
<pre>6 shotgun or any undetectable major component of a firearm, rifle, or shotgun. Criminal possession of an undetectable firearm is a class E felony. \$ 3. The opening paragraph and the opening paragraph of paragraph as amended by section 1 of part FF of chapter 57 of the laws of 2013 and the opening paragraph of paragraph 1 as amended by chapter 1041 of the laws of 1974, are amended to read as follows: Paragraph (h) of subdivision twenty-two of section 265.00 and sections 265.01, 265.01-a, [eubdivision one of section 265.01, 265.02, 265.03, 265.02, 265.55 and 270.05 shall not apply to: Possession of any of the weapons, instruments, appliances or substances specified in sections 265.01, 265.03, 265.03, 265.50, 266.55 265.50, 265.55 and 270.05 by the following: \$ 4. Paragraph (c) of subdivision 1 of section 70.02 of the penal law, 265.01, 265.55 and 270.05 by the following: \$ (c) Class D violent felony offenses: an attempt to commit any of the class C felonies set forth in paragraph (b); reckless assault of a child as defined in section 120.02, assault in the second degree as defined in section 120.05, menacing a police officer or peace officer as defined in section 120.18, stalking in the first degree, as defined in section 130.30, criminal sexual act in the second degree as defined in section 130.80, aggravated sexual abuse in the third degree as defined in section 130.60, aggravated sexual abuse in the third degree as defined in section 130.60, aggravated sexual abuse in the third degree as defined in paragraphs (a) and (b) of subdivision three of section 135.5, criminal paragraphs (a) and (b) of subdivision three deschine as defined in section 130.66, facilitating a sex offense with a controlled in section 130.60, aggravated secual abuse in the third degree as defined in section 130.60, aggravated secual duse in the third degree as defined in section 130.60, aggravated secual abuse in the third degree as defined in section 130.60, aggravated secual duse in the third degree as defined in section 130.60, aggr</pre>	5	
<pre>7 shotsun. Criminal possession of an undetectable firearm is a class E felony. § 3. The opening paragraph and the opening paragraph of paragraph 1 of 10 subdivision a of section 265.20 of the penal law, the opening paragraph 1 as amended by section 1 of part FF of chapter 57 of the laws of 2013 and 12 the opening paragraph of paragraph 1 as amended by chapter 1041 of the 13 laws of 1974, are amended to read as follows: 14 Paragraph (h) of subdivision twenty-two of section 265.00 and sections 15 265.01, 265.05, 265.10, 265.11, 265.12, 265.13, 265.15, 265.36, 265.37, 265.04, 265.05, 265.55 and 270.05 shall not apply to: 15 Possession of any of the weapons, instruments, appliances or 16 substances specified in sections 265.01, 265.02, 265.03, 265.04, 265.05, 265.50, 265.55 and 270.05 by the following: 15 4. Paragraph (c) of subdivision 1 of section 70.02 of the penal law, 26 as amended by chapter 368 of the laws of 2015, is amended to read as 27 (c) Class D violent felony offenses: an attempt to commit any of the 28 class C felonies set forth in paragraph (b); reckless assault of a child 29 as defined in section 120.02, assault in the second degree as defined in 20 section 120.18, stalking in the first degree, as defined in section 130.45, 28 sexual abuse in the first degree as defined in section 130.45, 29 sexual abuse in the first degree as defined in section 130.45, 20 sexual abuse in the first degree as defined in section 130.45, 20 sexual conduct against a child in the second degree as defined in 20 section 130.66, facilitating a sex offense with a controlled 20 section 130.60, facilitating a sex offense with a controlled 30 substance as defined in section 130.90, labor trafficking as defined in 30 possession of a weapon in the third degree as defined in sudivision 31 oriminal section 490.20, falsely reporting an licident in the first 32 degree as defined in section 240.60, placing a false bomb or hazardous 33 defined in section 240.60, placing a false bomb or hazardous 44 d</pre>		
 § 3. The opening paragraph and the opening paragraph of paragraph 1 of subdivision a of section 265.20 of the penal law, the opening paragraph 1 as amended by section 1 of part FF of chapter 57 of the laws of 2013 and 12 the opening paragraph of paragraph 1 as amended by chapter 1041 of the laws of 1974, are amended to read as follows: Paragraph (h) of subdivision twenty-two of section 265.00 and sections 52 65.01, 265.01-a, [subdivision nee of section] 265.01-b, 265.02, 265.03, 265.01-a, [subdivision nee of section] 265.01-b, 265.02, 265.03, 265.05 and 270.05 shall not apply to: Possession of any of the weapons, instruments, appliances or 19 substances specified in sections 265.01, 265.02, 265.55 and 270.05 by the following: § 4. Paragraph (c) of subdivision 1 of section 70.02 of the penal law, 28 amended by chapter 368 of the laws of 2015, is amended to a child 26 as defined in section 120.02, assault in the second degree as defined in section 120.05, menacing a polico officer or peace officer as defined in section 120.06, strangulation in the second degree as defined in section 130.45, sexual abuse in the first degree, as defined in section 130.45, sexual abuse in the first degree as defined in section 130.45, sexual abuse in the first degree as defined in section 130.45, sexual abuse in the first degree as defined in section 130.45, sexual abuse in the first degree as defined in section 130.45, sexual abuse in the first degree as defined in section 130.45, sexual abuse in the first degree as defined in section 130.45, sexual abuse in the third degree as defined in section 130.66, facilitating a sex offense with a controlled in possession of a weapon in the third degree as defined in section 130.45, south a section 130.66, facilitating a sex offense with a controlled in substance as defined in section 240.02, placing a false bomb or hazardous 4 degree as defined in section 240.20, lasies preporing an incident in the first degree as defined in section 240.20	7	
<pre>10 subdivision a of section 265.20 of the penal law, the opening paragraph 11 as amended by section 1 of part FF of chapter 57 of the laws of 2013 and 12 the opening paragraph of paragraph 1 as amended by chapter 1041 of the 13 laws of 1974, are amended to read as follows: 14 Paragraph (h) of subdivision twenty-two of section 265.00 and sections 15 265.01, 265.01-a, [subdivision twenty-two of section 265.00 and sections 16 265.01, 265.05, 265.10, 265.11, 265.12, 265.13, 265.15, 265.36, 265.37, 17 265.50, 265.55 and 270.05 shall not apply to: 18 Possession of any of the weapons, instruments, appliances or 9 substances specified in sections 265.01, 265.02, 265.03, 265.04, 265.05, 265.50, 265.55 and 270.05 by the following: 11 § 4. Paragraph (c) of subdivision 1 of section 70.02 of the penal law, 28 as amended by chapter 368 of the laws of 2015, is amended to read as 16 follows: 14 (c) Class D violent felony offenses: an attempt to commit any of the 25 class C felonies set forth in paragraph (b); reckless assault of a child 26 as defined in section 120.02, assault in the second degree as defined in 27 section 120.18, stalking in the first degree, as defined in subdivision 20 on of section 120.06, strangulation in the section 130.65, course of 33 sexual abuse in the first degree as defined in section 130.45, 34 section 130.66, facilitating a sex offense with a controlled 36 substance as defined in section 130.90, labor trafficking as defined in 37 paragraphs (a) and (b) of subdivision three of section 255.01, criminal 38 possession of a weapon in the third degree as defined in subdivision 39 argraphs (a) and (b) of subdivision three of section 255.11, intimidating 40 a victim or witness in the section 240.52, paragraph 41 avictim or witness in the section 240.52, paragraph 42 avictim or providing support for an act of terrorism in the second 43 degree as defined in section 240.60, placing a false bomb or hazardous 44 defined in section 240.60, placing a false bomb or hazardous 45 subtance in the firist degree</pre>	8	<u>Criminal possession of an undetectable firearm is a class E felony.</u>
<pre>11 as amended by section 1 of part FF of chapter 57 of the laws of 2013 and 12 the opening paragraph of paragraph 1 as amended by chapter 1041 of the 13 laws of 1974, are amended to read as follows: 14 Paragraph (h) of subdivision twenty-two of section 265.00 and sections 15 265.01 a, [subdivision nee of section 265.01 b, 265.02, 265.03, 16 265.01 a, [subdivision nee of section 265.01 b, 265.02, 265.03, 17 265.50 a, 265.55 and 270.05 shall not apply to: 18 Possession of any of the weapons, instruments, appliances or 19 substances specified in sections 265.01, 265.02, 265.03, 265.04, 265.05, 265.50 a, 265.55 and 270.05 by the following: 11 \$ 4. Paragraph (c) of subdivision 1 of section 70.02 of the penal law, 23 sollows: 24 (c) Class D violent felony offenses: an attempt to commit any of the 25 class C felonies set forth in paragraph (b); reckless assault of a child 26 as defined in section 120.02, assault in the second degree as defined in 27 section 120.05, menacing a police officer or peace officer as defined in 28 section 120.18, stalking in the first degree, as defined in section 130.30, 26 section 120.60, strangulation in the second degree as defined in 29 one of section 120.60, strangulation in the second degree as defined in 30 section 130.80, aggravated sexual abuse in the third degree as defined in 31 section 130.80, aggravated sexual abuse in the third degree as defined 32 in section 130.80, aggravated sexual abuse in the third degree as defined 31 section 130.80, aggravated sexual abuse in the third degree as defined 32 section 130.80, aggravated sexual abuse in the third degree as defined in 32 section 130.80, aggravated sexual abuse in the third degree as defined in 33 section 130.80, aggravated sexual abuse in the third degree as defined in 34 victim or witness in the second degree as defined in section 215.16, 35 soliciting or providing support for an act of terrorism in the second 34 defined in section 240.60, placing a false bomb or hazardous 34 defined in section 240.60, placing a false b</pre>	9	
12 the opening paragraph of paragraph 1 as amended by chapter 1041 of the 13 laws of 1974, are amended to read as follows: 14 Paragraph (h) of subdivision twenty-two of section 265.00 and sections 15 265.01, 265.01-a. [subdivision twenty-two of section 265.00 and sections 16 265.04, 265.05, 265.10, 265.11, 265.13, 265.15, 265.04, 265.03, 265.50, 265.55 and 270.05 shall not apply to: 17 Possession of any of the weapons, instruments, appliances or 18 substances specified in sections 265.01, 265.02, 265.03, 265.04, 265.05, 265.50, 265.55 and 270.05 by the following: 18 A Paragraph (c) of subdivision 1 of section 70.02 of the penal law, 28 as amended by chapter 368 of the laws of 2015, is amended to read as 16 follows: 14 (c) Class D violent felony offenses: an attempt to commit any of the 26 class C felonies set forth in paragraph (b): reckless assault of a child 26 as defined in section 120.02, assault in the second degree as defined in 28 section 120.05, menacing a police officer or peace officer as defined in 29 one of section 120.04, stanyulation in the second degree as defined in 30 section 121.12, rape in the second degree as defined in section 130.30, 30 crininal sexual act in the second degree as defined in 30 section 130.66, facilitating a sex offense with a controlled 31 section 130.66, facilitating a sex offense with a controlled 32 substance as defined in section 130.90, labor trafficking as defined in 33 possession of a weapon in the third degree as defined in section 215.16, 34 section 130.60, aggravated sexual abuse in the third degree as defined 35 and (b) of subdivision three of section 25.02, criminal 36 possession of a weapon in the third degree as defined in section 215.16, 35 soliciting or providing support for an act of terrorism in the second 36 degree as defined in section 240.60, placing a false bomb or hazardous 36 substance in the first degree as defined in section 215.16, 36 soliciting or providing support for an act of terrorism in the second 36 degree as defined in section 240.60,	10	
1a laws of 1974, are amended to read as follows: Paragraph (h) of subdivision twenty-two of section 265.00 and sections 265.01, 265.01-a, [<u>wbdivision twenty-two</u> of section] 265.01-b, 265.02, 265.03, 265.04, 265.05, 265.10, 265.11, 265.12, 265.13, 265.15, 265.36, 265.37, 265.50, 265.55 and 270.05 shall not apply to: Possession of any of the weapons, instruments, appliances or substances specified in sections 265.01, 265.02, 265.03, 265.04, 265.05, 265.50, 265.55 and 270.05 by the following: 8 4. Paragraph (c) of subdivision 1 of section 70.02 of the penal law, as amended by chapter 368 of the laws of 2015, is amended to read as a follows: (c) Class D violent felony offenses: an attempt to commit any of the class C felonies set forth in paragraph (b); reckless assault of a child as defined in section 120.02, assault in the second degree as defined in section 120.05, menacing a police officer or peace officer as defined in section 120.18, stalking in the first degree, as defined in subdivision one of section 120.60, strangulation in the second degree as defined in section 130.80, aggravated sexual abuse in the third degree as defined in section 130.86, aggravated sexual abuse in the third degree as defined in section 130.66, facilitating a sex offense with a controlled substance as defined in section 130.90, labor trafficking as defined in paragraphs (a) and (b) of subdivision three of section 125.16, criminal section 130.86, aggravated sexual abuse in the third degree as defined in section 130.66, facilitating a sex offense with a controlled substance as defined in section 20.90, labor trafficking as defined in section 130.86, aggravated venyon (and making a terrorism in the second degree as defined in section 20.90, labor trafficking as defined in section 130.66, facilitating a sex offense with a controlled substance in the third degree as defined in section 215.16, soliciting or providing support for an act of terrorism in the second degree as defined in section 240.60, placing a false bomb or hazardous su	11	
Paragraph (h) of subdivision twenty-two of section 265.00 and sections 265.01, 265.01-a, [subdivision twenty-two of section] 265.01-b, 265.02, 265.03, 265.50, 265.55 and 270.05 shall not apply to: Possession of any of the weapons, instruments, appliances or substances specified in sections 265.01, 265.02, 265.03, 265.04, 265.05, 265.50, 265.55 and 270.05 by the following: A Paragraph (c) of subdivision 1 of section 70.02 of the penal law, as amended by chapter 368 of the laws of 2015, is amended to read as follows: (c) Class D violent felony offenses: an attempt to commit any of the class C felonies set forth in paragraph (b); reckless assault of a child as defined in section 120.02, assault in the second degree as defined in section 120.05, menacing a police officer or peace officer as defined in section 120.18, stalking in the first degree, as defined in subdivision on of section 120.60, strangulation in the second degree as defined in section 121.12, rape in the second degree as defined in section 130.30, criminal sexual act in the second degree as defined in section 130.45, sexual abuse in the first degree as defined in section 130.45, sexual conduct against a child in the section 265.02, criminal section 130.60, aggravated sexual abuse in the third degree as defined in paragraphs (a) and (b) of subdivision three of section 135.35, criminal possession of a weapon in the third degree as defined in subdivision five, six, seven, eight, nine or ten of section 265.02, criminal sale of a victim or witness in the second degree as defined in subdivision five, six, seven, eight, nine or ten of section 265.02, criminal sale of a firearm in the third degree as defined in section 215.16, a soliciting or providing support for an act of terrorism in the second degree as defined in section 240.60, placing a false bomb or hazardous substance in the first degree as defined in section 240.62, placing a false bomb or hazardous substance in a sports stadium or arena, mass transportation facility or enclosed shopping mail as de		
 15 265.01 265.01-a, [aubdivision one of section] 265.01-b, 265.02, 265.03, 16 265.04, 265.05, 265.10, 265.11, 265.12, 265.13, 265.15, 265.36, 265.37, 265.02, 265.55 and 270.05 shall not apply to: 18 Possession of any of the weapons, instruments, appliances or 9 substances specified in sections 265.01, 265.02, 265.03, 265.04, 265.05, 265.50, 265.55 and 270.05 by the following: 2 § 4. Paragraph (c) of subdivision 1 of section 70.02 of the penal law, 2 as amended by chapter 368 of the laws of 2015, is amended to read as 2 follows: 2 (c) Class D violent felony offenses: an attempt to commit any of the c class C felonies set forth in paragraph (b); reckless assault of a child 2 as defined in section 120.02, assault in the second degree as defined in 3 section 120.05, menacing a police officer or peace officer as defined in 3 section 120.18, stalking in the first degree, as defined in subdivision 2 one of section 120.60, strangulation in the second degree as defined in 3 section 130.80, aggravated sexual abuse in the third degree as defined in 3 section 130.80, aggravated sexual abuse in the third degree as defined in 3 paragraphs (a) and (b) of subdivision three of section 133.5, criminal 3 possession of a weapon in the third degree as defined in 3 paragraphs (a) and (b) of subdivision three of section 265.11, intimidating 4 a victim or witness in the second degree as defined in section 131.64, soliciting or providing support for an act of terrorism in the second 4 a finearm in the third degree as defined in section 215.16, soliciting or providing support for an act of terrorism in the first degree as defined in section 215.16, soliciting or providing support for an act of terrorism in the first degree as defined in section 240.62, placing a false bomb or hazardous substance in the first degree as defined in section 240.6		
16 265.04, 265.05, 265.10, 265.11, 265.12, 265.13, 265.15, 265.36, 265.37, 265.55 and 270.05 shall not apply to: 18 Possession of any of the weapons, instruments, appliances or 19 substances specified in sections 265.01, 265.02, 265.03, 265.04, 265.05, 265.02, 265.55 and 270.05 by the following: 1 \$ 4. Paragraph (c) of subdivision 1 of section 70.02 of the penal law, 2 as amended by chapter 368 of the laws of 2015, is amended to read as 1 follows: (c) Class D violent felony offenses: an attempt to commit any of the 2 closs C felonies set forth in paragraph (b); reckless assault of a child 2 as defined in section 120.02, assault in the second degree as defined in 3 section 120.05, menacing a police officer or peace officer as defined in 3 section 120.18, stalking in the first degree, as defined in subdivision 9 on of section 120.10, clos, assault and the second degree as defined in 3 sexual abuse in the first degree as defined in section 130.30, 3 criminal sexual act in the second degree as defined in 130.45, 3 sexual conduct against a child in the second degree as defined in 4 section 130.80, aggravated sexual abuse in the third degree as defined in 5 providing a poly of the needing 265.02, criminal section 130.66, facilitating a sex offense with a controlled 5 substance as defined in section 265.01, inimidating 1 a victim or witness in the second degree as defined in subdivision 9 five, six, seven, eight, nine or ten of section 265.02, criminal sel of 4 a defined in section 490.10, and making a terroristic threat as 4 defined in section 490.20, falsely reporting an incident in the first 5 degree as defined in section 490.20, falsely reporting an incident in the first 5 degree as defined in section 490.20, falsely reporting a false bomb or hazardous 4 substance in the first degree as defined in section 240.62, placing a 4 false bomb or		
265.50, 265.55 and 270.05 shall not apply to: Possession of any of the weapons, instruments, appliances or substances specified in sections 265.01, 265.02, 265.03, 265.04, 265.05, 265.50, 265.55 and 270.05 by the following: \$ 4. Paragraph (c) of subdivision 1 of section 70.02 of the penal law, as amended by chapter 368 of the laws of 2015, is amended to read as follows: (c) Class D violent felony offenses: an attempt to commit any of the class C felonies set forth in paragraph (b); reckless assault of a child as defined in section 120.02, assault in the second degree as defined in section 120.05, menacing a police officer or peace officer as defined in section 120.18, stalking in the first degree, as defined in subdivision one of section 120.60, strangulation in the second degree as defined in section 121.12, rape in the second degree as defined in section 130.30, criminal sexual act in the second degree as defined in section 130.45, sexual conduct against a child in the second degree as defined in section 130.66, facilitating a sex offense with a controlled substance as defined in section 130.90, labor trafficking as defined in a paragraphs (a) and (b) of subdivision three of section 135.35, criminal possession of a weapon in the third degree as defined in subdivision five, six, seven, eight, nine or ten of section 265.02, criminal sale of a firearm in the third degree as defined in section 215.16, a siction ger providing support for an act of terrorism in the second degree as defined in section 240.00, placing a false bomb or hazardous fised as substance in the first degree as defined in section 215.16, a substance in the first degree as defined in section 215.16, a filter or witness in the second degree as defined in section 215.16, a filter or witness in the second degree as defined in section 240.62, placing a false bomb or hazardous substance in a sports stalum or arean, mass transportation facility or enclosed shopping mall as defined in section 240.63, [and] aggravated unpermitted use of indoor pyrot		
Possession of any of the weapons, instruments, appliances or substances specified in sections 265.01, 265.02, 265.03, 265.04, 265.05, 265.50, 265.55 and 270.05 by the following: § 4. Paragraph (c) of subdivision 1 of section 70.02 of the penal law, as amended by chapter 368 of the laws of 2015, is amended to read as follows: (c) Class D violent felony offenses: an attempt to commit any of the class C felonies set forth in paragraph (b); reckless assault of a child as defined in section 120.02, assault in the second degree as defined in section 120.05, menacing a police officer or peace officer as defined in section 120.18, stalking in the first degree, as defined in subdivision on e of section 120.60, strangulation in the second degree as defined in section 121.12, rape in the second degree as defined in section 130.30, criminal sexual act in the second degree as defined in section 130.45, sexual abuse in the first degree as defined in section 130.45, sexual conduct against a child in the second degree as defined in section 130.66, facilitating a sex offense with a controlled substance as defined in section 130.90, labor trafficking as defined in paragraphs (a) and (b) of subdivision three of section 135.35, criminal possession of a weapon in the third degree as defined in subdivision of ive, six, seven, eight, nine or ten of section 265.02, criminal sale of a firearm in the third degree as defined in section 215.16, soliciting or providing support for an act of terrorism in the second degree as defined in section 240.60, placing a false bomb or hazardous false bomb or hazardous substance in a sports stadium or arena, mass talse bomb or hazardous substance in a sports stadium or arena, mass transportation facility or enclosed shopping mall as defined in section 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the first degree as defined in section 405.18, and criminal manufacture, sale, or transport of an undetectable firearm as defined in section 255.50. § 5. The opening paragraph of paragrap		
<pre>19 substances specified in sections 265.01, 265.02, 265.03, 265.04, 265.05, 265.50, 265.55 and 270.05 by the following:</pre>		
265.50, 265.55 and 270.05 by the following: \$ 4. Paragraph (c) of subdivision 1 of section 70.02 of the penal law, as amended by chapter 368 of the laws of 2015, is amended to read as follows: (c) Class D violent felony offenses: an attempt to commit any of the class C felonies set forth in paragraph (b); reckless assault of a child as defined in section 120.02, assault in the second degree as defined in section 120.18, stalking in the first degree, as defined in subdivision one of section 120.60, strangulation in the second degree as defined in section 121.12, rape in the second degree as defined in section 130.30, criminal sexual act in the second degree as defined in section 130.45, sexual abuse in the first degree as defined in section 130.45, sexual conduct against a child in the second degree as defined in section 130.66, facilitating a sex offense with a controlled in section 130.66, facilitating a sex offense with a controlled substance as defined in section 130.90, labor trafficking as defined in paragraphs (a) and (b) of subdivision three of section 265.02, criminal sele of a firearm in the third degree as defined in section 215.16, soliciting or providing support for an act of terrorism in the second degree as defined in section 20, algeree as defined in section 215.16, soliciting or providing support for an act of terrorism in the second degree as defined in section 240.60, placing a false bomb or hazardous substance in the first degree as defined in section 245.16, soliciting or providing support for an act of terrorism in the second degree as defined in section 240.60, placing a false bomb or hazardous substance in the first degree as defined in section 245.16, soliciting or providing support for an act of terrorism in the second degree as defined in section 240.60, placing a false bomb or hazardous substance in the first degree as defined in section 245.16, soliciting or providing support for an act of terrorism in the second degree as defined in section 240.60, placing a false bomb or hazardo		
§ 4. Paragraph (c) of subdivision 1 of section 70.02 of the penal law, as amended by chapter 368 of the laws of 2015, is amended to read as follows: (c) Class D violent felony offenses: an attempt to commit any of the class C felonies set forth in paragraph (b); reckless assault of a child as defined in section 120.02, assault in the second degree as defined in section 120.05, menacing a police officer or peace officer as defined in section 120.18, stalking in the first degree, as defined in subdivision one of section 120.60, strangulation in the second degree as defined in section 121.12, rape in the second degree as defined in section 130.30, criminal sexual act in the second degree as defined in section 130.45, sexual abuse in the first degree as defined in section 130.45, sexual conduct against a child in the second degree as defined in section 130.80, aggravated sexual abuse in the third degree as defined in section 130.66, facilitating a sex offense with a controlled substance as defined in section 130.90, labor trafficking as defined in paragraphs (a) and (b) of subdivision three of section 135.35, criminal sposession of a weapon in the third degree as defined in subdivision five, six, seven, eight, nine or ten of section 265.11, intimidating a victim or witness in the second degree as defined in section 215.16, soliciting or providing support for an act of terrorism in the second degree as defined in section 240.60, placing a false bomb or hazardous substance in the first degree as defined in section 215.16, substance in the first degree as defined in section 240.62, placing a 47 false bomb or hazardous substance in a sports stadium or arena, mass transportation facility or enclosed shopping mall as defined in section 240.63, [amd] aggravated unpermitted use of indoor pyrotechnics in the first degree as defined in section 495.18, and criminal manufacture. sale, or transport of an undetectable firearm as defined in section 255.50. S 5. The opening paragraph of paragraph (c) of subdivision 2 of section		
as amended by chapter 368 of the laws of 2015, is amended to read as follows: (c) Class D violent felony offenses: an attempt to commit any of the class C felonies set forth in paragraph (b); reckless assault of a child as defined in section 120.02, assault in the second degree as defined in section 120.18, stalking in the first degree, as defined in subdivision one of section 120.60, strangulation in the second degree as defined in section 121.12, rape in the second degree as defined in section 130.30, criminal sexual act in the second degree as defined in section 130.45, sexual conduct against a child in the second degree as defined in section 130.80, aggravated sexual abuse in the third degree as defined in section 130.66, facilitating a sex offense with a controlled substance as defined in section 130.90, labor trafficking as defined in paragraphs (a) and (b) of subdivision three of section 135.5, criminal possession of a weapon in the third degree as defined in subdivision five, six, seven, eight, nine or ten of section 265.01, criminal sale of a victim or witness in the section 490.10, and making a terroristic threat as 4 defined in section 490.10, and making a terroristic threat as 4 defined in section 240.60, placing a false bomb or hazardous substance in the first degree as defined in section 215.16, soluciting or providing support for an act of terrorism in the second 43 false bomb or hazardous substance in a sports stadium or arena, mass 44 talefined in section 240.60, placing a false bomb or hazardous 45 substance in the first degree as defined in section 240.62, placing a 47 false bomb or hazardous substance in a sports stadium or arena, mass 48 transportation facility or enclosed shopping mall as defined in section 420.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 56 first degree as defined in section 405.18, and criminal manufacture, sale, or transport of an undetectable firearm as defined in section 57 first degree as defined in section 405.18, and criminal manufacture, 58 s		
follows: (c) Class D violent felony offenses: an attempt to commit any of the class C felonies set forth in paragraph (b); reckless assault of a child as defined in section 120.02, assault in the second degree as defined in section 120.05, menacing a police officer or peace officer as defined in section 120.18, stalking in the first degree, as defined in subdivision on of section 120.60, strangulation in the second degree as defined in section 121.12, rape in the second degree as defined in section 130.30, criminal sexual act in the second degree as defined in section 130.45, sexual abuse in the first degree as defined in section 130.45, sexual conduct against a child in the second degree as defined in section 130.80, aggravated sexual abuse in the third degree as defined in section 130.66, facilitating a sex offense with a controlled substance as defined in section 130.90, labor trafficking as defined in paragraphs (a) and (b) of subdivision three of section 135.35, criminal possession of a weapon in the third degree as defined in subdivision five, six, seven, eight, nine or ten of section 265.02, criminal sale of a firearm in the third degree as defined in section 215.16, soliciting or providing support for an act of terrorism in the second degree as defined in section 490.10, and making a terroristic threat as 4 defined in section 490.20, falsely reporting an incident in the first degree as defined in section 240.60, placing a false bomb or hazardous 4 substance in the first degree as defined in section 240.62, placing a false bomb or hazardous substance in a sports stadium or arena, mass 8 transportation facility or enclosed shopping mall as defined in section 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 50 first degree as defined in section 405.18, and criminal manufacture, sale, or transport of an undetectable firearm as defined in section 265.50. § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the l		
(c) Class D violent felony offenses: an attempt to commit any of the class C felonies set forth in paragraph (b); reckless assault of a child as defined in section 120.02, assault in the second degree as defined in section 120.18, stalking in the first degree, as defined in subdivision one of section 120.60, strangulation in the second degree as defined in section 130.12, rape in the second degree as defined in section 130.30, criminal sexual act in the second degree as defined in section 130.45, sexual abuse in the first degree as defined in section 130.65, course of section 130.66, facilitating a sex offense with a controlled substance as defined in section 130.69, updated sexual abuse in the third degree as defined in section 130.80, aggravated sexual abuse in the third degree as defined in paragraphs (a) and (b) of subdivision three of section 135.35, criminal section of a weapon in the third degree as defined in subdivision five, six, seven, eight, nine or ten of section 265.02, criminal sale of a firearm in the third degree as defined in section 215.16, soliciting or providing support for an act of terrorism in the second degree as defined in section 215.16, substance in the first degree as defined in section 215.16, substance in the first degree as defined in section 215.16, substance in the first degree as defined in section 215.16, substance in the first degree as defined in section 215.16, soliciting or providing support for an act of terrorism in the second degree as defined in section 215.16, substance in the first degree as defined in section 240.60, placing a false bomb or hazardous substance in a sports stadium or arena, mass transportation facility or enclosed shopping mall as defined in section 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 50 first degree as defined in section 405.18, and criminal manufacture, sale, or transport of an undetectable firearm as defined in section 265.50.		
class C felonies set forth in paragraph (b); reckless assault of a child as defined in section 120.02, assault in the second degree as defined in section 120.05, menacing a police officer or peace officer as defined in section 120.18, stalking in the first degree, as defined in subdivision one of section 120.60, strangulation in the second degree as defined in section 121.12, rape in the second degree as defined in section 130.30, criminal sexual act in the second degree as defined in section 130.45, sexual abuse in the first degree as defined in section 130.65, course of sexual conduct against a child in the second degree as defined in section 130.80, aggravated sexual abuse in the third degree as defined in restrict a section 130.66, facilitating a sex offense with a controlled substance as defined in section 130.90, labor trafficking as defined in paragraphs (a) and (b) of subdivision three of section 135.35, criminal possession of a weapon in the third degree as defined in subdivision five, six, seven, eight, nine or ten of section 265.02, criminal sale of a firearm in the third degree as defined in section 215.16, substance or providing support for an act of terrorism in the second degree as defined in section 490.10, and making a terroristic threat as defined in section 490.20, falsely reporting an incident in the first degree as defined in section 240.60, placing a false bomb or hazardous fulse bomb or hazardous substance in a sports stadium or arena, mass transportation facility or enclosed shopping mall as defined in section 240.63, [amd] aggravated unpermitted use of indoor pyrotechnics in the first degree as defined in section 405.18 <u>, and criminal manufacture.</u> sale, or transport of an undetectable firearm as defined in section 265.50.		
as defined in section 120.02, assault in the second degree as defined in section 120.05, menacing a police officer or peace officer as defined in section 120.18, stalking in the first degree, as defined in subdivision one of section 120.60, strangulation in the second degree as defined in section 121.12, rape in the second degree as defined in section 130.30, criminal sexual act in the second degree as defined in section 130.45, sexual abuse in the first degree as defined in section 130.45, sexual conduct against a child in the second degree as defined in section 130.80, aggravated sexual abuse in the third degree as defined in section 130.66, facilitating a sex offense with a controlled substance as defined in section 130.90, labor trafficking as defined in paragraphs (a) and (b) of subdivision three of section 135.35, criminal possession of a weapon in the third degree as defined in subdivision five, six, seven, eight, nine or ten of section 265.02, criminal sale of a firearm in the third degree as defined in section 215.16, soliciting or providing support for an act of terrorism in the second degree as defined in section 490.10, and making a terroristic threat as defined in section 490.20, falsely reporting an incident in the first degree as defined in section 240.62, placing a false bomb or hazardous substance in the first degree as defined in section 240.62, placing a false bomb or hazardous substance in a sports stadium or arena, mass transportation facility or enclosed shopping mall as defined in section 240.63, [am] aggravated unpermitted use of indoor pyrotechnics in the first degree as defined in section 405.18, and criminal manufacture, sale, or transport of an undetectable firearm as defined in section 265.50. § 5. The opening paragraph of paragraph (c) of subdivision 2 of section 70.02 of the penal law, as amended by chapter 1 of the laws of		
<pre>27 section 120.05, menacing a police officer or peace officer as defined in 28 section 120.18, stalking in the first degree, as defined in subdivision one of section 120.60, strangulation in the second degree as defined in 30 section 121.12, rape in the second degree as defined in section 130.30, 31 criminal sexual act in the second degree as defined in section 130.45, 32 sexual abuse in the first degree as defined in section 130.65, course of 33 sexual conduct against a child in the second degree as defined in 44 section 130.80, aggravated sexual abuse in the third degree as defined 51 in section 130.66, facilitating a sex offense with a controlled 36 substance as defined in section 130.90, labor trafficking as defined in 37 paragraphs (a) and (b) of subdivision three of section 135.35, criminal 38 possession of a weapon in the third degree as defined in subdivision 39 five, six, seven, eight, nine or ten of section 265.02, criminal sale of 40 a firearm in the third degree as defined in section 215.16, 42 soliciting or providing support for an act of terrorism in the second 43 degree as defined in section 240.60, placing a false bomb or hazardous 44 defined in section 240.60, placing a false bomb or hazardous 45 substance in the first degree as defined in section 240.62, placing a 47 false bomb or hazardous substance in a sports stadium or arena, mass 48 transportation facility or enclosed shopping mall as defined in section 49 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 50 first degree as defined in section 405.18, and criminal manufacture, 51 <u>sale, or transport of an undetectable firearm as defined in section</u> 53 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of</pre>		
<pre>28 section 120.18, stalking in the first degree, as defined in subdivision one of section 120.60, strangulation in the second degree as defined in section 121.12, rape in the second degree as defined in section 130.30, criminal sexual act in the second degree as defined in section 130.45, sexual abuse in the first degree as defined in section 130.65, course of sexual conduct against a child in the second degree as defined in section 130.80, aggravated sexual abuse in the third degree as defined in section 130.66, facilitating a sex offense with a controlled substance as defined in section 130.90, labor trafficking as defined in paragraphs (a) and (b) of subdivision three of section 135.35, criminal possession of a weapon in the third degree as defined in subdivision five, six, seven, eight, nine or ten of section 265.02, criminal sale of a firearm in the third degree as defined in section 215.16, soliciting or providing support for an act of terrorism in the second degree as defined in section 490.10, and making a terroristic threat as defined in section 490.20, falsely reporting an incident in the first degree as defined in section 240.60, placing a false bomb or hazardous substance in the first degree as defined in section 240.62, placing a false bomb or hazardous substance in a sports stadium or arena, mass transportation facility or enclosed shopping mall as defined in section 9 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the first degree as defined in section 405.18, and criminal manufacture, sale, or transport of an undetectable firearm as defined in section 2 255.50. S 5. The opening paragraph of paragraph (c) of subdivision 2 of section 70.02 of the penal law, as amended by chapter 1 of the laws of</pre>		
one of section 120.60, strangulation in the second degree as defined in section 121.12, rape in the second degree as defined in section 130.30, criminal sexual act in the second degree as defined in section 130.45, sexual abuse in the first degree as defined in section 130.65, course of sexual conduct against a child in the second degree as defined in section 130.80, aggravated sexual abuse in the third degree as defined in section 130.66, facilitating a sex offense with a controlled substance as defined in section 130.90, labor trafficking as defined in paragraphs (a) and (b) of subdivision three of section 135.35, criminal spossession of a weapon in the third degree as defined in subdivision five, six, seven, eight, nine or ten of section 265.02, criminal sale of a firearm in the third degree as defined in section 265.11, intimidating a victim or witness in the second degree as defined in section 215.16, soliciting or providing support for an act of terrorism in the first degree as defined in section 240.60, placing a false bomb or hazardous substance in the first degree as defined in section 240.62, placing a false bomb or hazardous substance in a sports stadium or arena, mass transportation facility or enclosed shopping mall as defined in section 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the first degree as defined in section 405.18, and criminal manufacture, sale, or transport of an undetectable firearm as defined in section 265.50.		
<pre>31 criminal sexual act in the second degree as defined in section 130.45, 32 sexual abuse in the first degree as defined in section 130.65, course of 33 sexual conduct against a child in the second degree as defined in 43 section 130.80, aggravated sexual abuse in the third degree as defined 54 in section 130.66, facilitating a sex offense with a controlled 65 substance as defined in section 130.90, labor trafficking as defined in 75 paragraphs (a) and (b) of subdivision three of section 135.35, criminal 76 possession of a weapon in the third degree as defined in subdivision 76 five, six, seven, eight, nine or ten of section 265.02, criminal sale of 76 a firearm in the third degree as defined in section 215.16, 77 soliciting or providing support for an act of terrorism in the second 78 degree as defined in section 490.10, and making a terroristic threat as 79 degree as defined in section 240.60, placing a false bomb or hazardous 76 substance in the first degree as defined in section 240.62, placing a 76 false bomb or hazardous substance in a sports stadium or arena, mass 79 false bomb or hazardous substance in a sports stadium or arena, mass 70 first degree as defined in section 405.18, and criminal manufacture, 71 sale, or transport of an undetectable firearm as defined in section 72 <u>265.50</u>. 73 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 74 section 70.02 of the penal law, as amended by chapter 1 of the laws of 74 section 70.02 of the penal law, as amended by chapter 1 of the laws of 75 section 70.02 of the penal law, as amended by chapter 1 of the laws of 75 section 70.02 of the penal law, as amended by chapter 1 of the laws of 75 section 70.02 of the penal law, as amended by chapter 1 of the laws of 15 section 70.02 of the penal law, as amended by chapter 1 of the laws of 15 section 70.02 of the penal law, as amended by chapter 1 of the laws of 15 section 70.02 of the penal law, as amended by chapter 1 of the laws of 15 section 70.02 of the penal law section 70.02 of the penal law s</pre>	29	
32 sexual abuse in the first degree as defined in section 130.65, course of 33 sexual conduct against a child in the second degree as defined in 44 section 130.80, aggravated sexual abuse in the third degree as defined 55 in section 130.66, facilitating a sex offense with a controlled 66 substance as defined in section 130.90, labor trafficking as defined in 77 paragraphs (a) and (b) of subdivision three of section 135.35, criminal 78 possession of a weapon in the third degree as defined in subdivision 79 five, six, seven, eight, nine or ten of section 265.02, criminal sale of 70 a firearm in the third degree as defined in section 215.16, 71 a victim or witness in the second degree as defined in section 215.16, 72 soliciting or providing support for an act of terrorism in the second 73 degree as defined in section 240.60, placing a false bomb or hazardous 74 false bomb or hazardous substance in a sports stadium or arena, mass 74 false bomb or hazardous substance in a sports stadium or arena, mass 74 false bomb or hazardous substance in a sports stadium or arena, mass 75 transportation facility or enclosed shopping mall as defined in section 75 section 70.02 of the penal law, as amended by chapter 1 of the laws of 75 section 70.02 of the penal law, as amended by chapter 1 of the laws of	30	section 121.12, rape in the second degree as defined in section 130.30,
33 sexual conduct against a child in the second degree as defined in 34 section 130.80, aggravated sexual abuse in the third degree as defined 35 in section 130.66, facilitating a sex offense with a controlled 36 substance as defined in section 130.90, labor trafficking as defined in 37 paragraphs (a) and (b) of subdivision three of section 135.35, criminal 38 possession of a weapon in the third degree as defined in subdivision 39 five, six, seven, eight, nine or ten of section 265.02, criminal sale of 40 a firearm in the third degree as defined in section 215.16, 41 a victim or witness in the second degree as defined in section 215.16, 42 soliciting or providing support for an act of terrorism in the second 43 degree as defined in section 490.10, and making a terroristic threat as 44 defined in section 240.60, placing a false bomb or hazardous 45 substance in the first degree as defined in section 240.62, placing a 47 false bomb or hazardous substance in a sports stadium or arena, mass 48 transportation facility or enclosed shopping mall as defined in section 49 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 40 first degree as defined in section 405.18, and criminal manufacture, 51 sale, or transport of an undetectable firearm as defined in section 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of	31	criminal sexual act in the second degree as defined in section 130.45,
34 section 130.80, aggravated sexual abuse in the third degree as defined 35 in section 130.66, facilitating a sex offense with a controlled 36 substance as defined in section 130.90, labor trafficking as defined in 37 paragraphs (a) and (b) of subdivision three of section 135.35, criminal 38 possession of a weapon in the third degree as defined in subdivision 39 five, six, seven, eight, nine or ten of section 265.02, criminal sale of 40 a firearm in the third degree as defined in section 265.11, intimidating 41 a victim or witness in the second degree as defined in section 215.16, 42 soliciting or providing support for an act of terrorism in the second 43 degree as defined in section 490.10, and making a terroristic threat as 44 defined in section 490.20, falsely reporting an incident in the first 45 degree as defined in section 240.60, placing a false bomb or hazardous 46 substance in the first degree as defined in section 240.62, placing a 47 false bomb or hazardous substance in a sports stadium or arena, mass 48 transportation facility or enclosed shopping mall as defined in section 49 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 51 sale, or transport of an undetectable firearm as defined in section 52 <u>265.50</u> . 53 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of	32	sexual abuse in the first degree as defined in section 130.65, course of
in section 130.66, facilitating a sex offense with a controlled substance as defined in section 130.90, labor trafficking as defined in paragraphs (a) and (b) of subdivision three of section 135.35, criminal possession of a weapon in the third degree as defined in subdivision five, six, seven, eight, nine or ten of section 265.02, criminal sale of a firearm in the third degree as defined in section 265.11, intimidating a victim or witness in the second degree as defined in section 215.16, soliciting or providing support for an act of terrorism in the second degree as defined in section 490.10, and making a terroristic threat as defined in section 490.20, falsely reporting an incident in the first degree as defined in section 240.60, placing a false bomb or hazardous substance in the first degree as defined in section 240.62, placing a false bomb or hazardous substance in a sports stadium or arena, mass transportation facility or enclosed shopping mall as defined in section 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the first degree as defined in section 405.18 <u>, and criminal manufacture, sale, or transport of an undetectable firearm as defined in section 265.50.</u> § 5. The opening paragraph of paragraph (c) of subdivision 2 of section 70.02 of the penal law, as amended by chapter 1 of the laws of		
36 substance as defined in section 130.90, labor trafficking as defined in 37 paragraphs (a) and (b) of subdivision three of section 135.35, criminal 38 possession of a weapon in the third degree as defined in subdivision 39 five, six, seven, eight, nine or ten of section 265.02, criminal sale of 40 a firearm in the third degree as defined in section 265.11, intimidating 41 a victim or witness in the second degree as defined in section 215.16, 42 soliciting or providing support for an act of terrorism in the second 43 degree as defined in section 490.10, and making a terroristic threat as 44 defined in section 490.20, falsely reporting an incident in the first 45 degree as defined in section 240.60, placing a false bomb or hazardous 46 substance in the first degree as defined in section 240.62, placing a 47 false bomb or hazardous substance in a sports stadium or arena, mass 48 transportation facility or enclosed shopping mall as defined in section 49 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 50 first degree as defined in section 405.18, and criminal manufacture, 51 sale, or transport of an undetectable firearm as defined in section 52 <u>265.50</u> . 53 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of		
37 paragraphs (a) and (b) of subdivision three of section 135.35, criminal 38 possession of a weapon in the third degree as defined in subdivision 39 five, six, seven, eight, nine or ten of section 265.02, criminal sale of 40 a firearm in the third degree as defined in section 265.11, intimidating 41 a victim or witness in the second degree as defined in section 215.16, 42 soliciting or providing support for an act of terrorism in the second 43 degree as defined in section 490.10, and making a terroristic threat as 44 defined in section 490.20, falsely reporting an incident in the first 45 degree as defined in section 240.60, placing a false bomb or hazardous 46 substance in the first degree as defined in section 240.62, placing a 47 false bomb or hazardous substance in a sports stadium or arena, mass 48 transportation facility or enclosed shopping mall as defined in section 49 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 50 first degree as defined in section 405.18, and criminal manufacture, 51 sale, or transport of an undetectable firearm as defined in section 52 <u>550.</u> 53 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of		
38 possession of a weapon in the third degree as defined in subdivision 39 five, six, seven, eight, nine or ten of section 265.02, criminal sale of 40 a firearm in the third degree as defined in section 265.11, intimidating 41 a victim or witness in the second degree as defined in section 215.16, 42 soliciting or providing support for an act of terrorism in the second 43 degree as defined in section 490.10, and making a terroristic threat as 44 defined in section 490.20, falsely reporting an incident in the first 45 degree as defined in section 240.60, placing a false bomb or hazardous 46 substance in the first degree as defined in section 240.62, placing a 47 false bomb or hazardous substance in a sports stadium or arena, mass 48 transportation facility or enclosed shopping mall as defined in section 49 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 50 first degree as defined in section 405.18, and criminal manufacture, 51 sale, or transport of an undetectable firearm as defined in section 52 265.50. 53 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of		
39 five, six, seven, eight, nine or ten of section 265.02, criminal sale of 40 a firearm in the third degree as defined in section 265.11, intimidating 41 a victim or witness in the second degree as defined in section 215.16, 42 soliciting or providing support for an act of terrorism in the second 43 degree as defined in section 490.10, and making a terroristic threat as 44 defined in section 490.20, falsely reporting an incident in the first 45 degree as defined in section 240.60, placing a false bomb or hazardous 46 substance in the first degree as defined in section 240.62, placing a 47 false bomb or hazardous substance in a sports stadium or arena, mass 48 transportation facility or enclosed shopping mall as defined in section 49 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 50 first degree as defined in section 405.18, and criminal manufacture, 51 sale, or transport of an undetectable firearm as defined in section 52 265.50. 53 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of		
40 a firearm in the third degree as defined in section 265.11, intimidating 41 a victim or witness in the second degree as defined in section 215.16, 42 soliciting or providing support for an act of terrorism in the second 43 degree as defined in section 490.10, and making a terroristic threat as 44 defined in section 490.20, falsely reporting an incident in the first 45 degree as defined in section 240.60, placing a false bomb or hazardous 46 substance in the first degree as defined in section 240.62, placing a 47 false bomb or hazardous substance in a sports stadium or arena, mass 48 transportation facility or enclosed shopping mall as defined in section 49 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 50 first degree as defined in section 405.18, and criminal manufacture, 51 sale, or transport of an undetectable firearm as defined in section 52 265.50. 53 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of		
41 a victim or witness in the second degree as defined in section 215.16, 42 soliciting or providing support for an act of terrorism in the second 43 degree as defined in section 490.10, and making a terroristic threat as 44 defined in section 490.20, falsely reporting an incident in the first 45 degree as defined in section 240.60, placing a false bomb or hazardous 46 substance in the first degree as defined in section 240.62, placing a 47 false bomb or hazardous substance in a sports stadium or arena, mass 48 transportation facility or enclosed shopping mall as defined in section 49 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 50 first degree as defined in section 405.18, and criminal manufacture, 51 sale, or transport of an undetectable firearm as defined in section 52 265.50. 53 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of		
42 soliciting or providing support for an act of terrorism in the second 43 degree as defined in section 490.10, and making a terroristic threat as 44 defined in section 490.20, falsely reporting an incident in the first 45 degree as defined in section 240.60, placing a false bomb or hazardous 46 substance in the first degree as defined in section 240.62, placing a 47 false bomb or hazardous substance in a sports stadium or arena, mass 48 transportation facility or enclosed shopping mall as defined in section 49 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 50 first degree as defined in section 405.18, and criminal manufacture, 51 sale, or transport of an undetectable firearm as defined in section 52 265.50. 53 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of		-
43 degree as defined in section 490.10, and making a terroristic threat as 44 defined in section 490.20, falsely reporting an incident in the first 45 degree as defined in section 240.60, placing a false bomb or hazardous 46 substance in the first degree as defined in section 240.62, placing a 47 false bomb or hazardous substance in a sports stadium or arena, mass 48 transportation facility or enclosed shopping mall as defined in section 49 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 50 first degree as defined in section 405.18, and criminal manufacture, 51 sale, or transport of an undetectable firearm as defined in section 52 <u>265.50</u> . 53 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of		5
44 defined in section 490.20, falsely reporting an incident in the first 45 degree as defined in section 240.60, placing a false bomb or hazardous 46 substance in the first degree as defined in section 240.62, placing a 47 false bomb or hazardous substance in a sports stadium or arena, mass 48 transportation facility or enclosed shopping mall as defined in section 49 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 50 first degree as defined in section 405.18, and criminal manufacture, 51 <u>sale, or transport of an undetectable firearm as defined in section</u> 52 <u>265.50</u> . 53 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of		
45 degree as defined in section 240.60, placing a false bomb or hazardous 46 substance in the first degree as defined in section 240.62, placing a 47 false bomb or hazardous substance in a sports stadium or arena, mass 48 transportation facility or enclosed shopping mall as defined in section 49 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 50 first degree as defined in section 405.18, and criminal manufacture, 51 <u>sale, or transport of an undetectable firearm as defined in section</u> 52 <u>265.50</u> . 53 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of		
46 substance in the first degree as defined in section 240.62, placing a 47 false bomb or hazardous substance in a sports stadium or arena, mass 48 transportation facility or enclosed shopping mall as defined in section 49 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 50 first degree as defined in section 405.18, and criminal manufacture, 51 sale, or transport of an undetectable firearm as defined in section 52 <u>265.50</u> . 53 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of		
47 false bomb or hazardous substance in a sports stadium or arena, mass 48 transportation facility or enclosed shopping mall as defined in section 49 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 50 first degree as defined in section 405.18, and criminal manufacture, 51 sale, or transport of an undetectable firearm as defined in section 52 265.50. 53 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of		
48 transportation facility or enclosed shopping mall as defined in section 49 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 50 first degree as defined in section 405.18, and criminal manufacture, 51 sale, or transport of an undetectable firearm as defined in section 52 265.50. 53 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of		
 49 240.63, [and] aggravated unpermitted use of indoor pyrotechnics in the 50 first degree as defined in section 405.18, and criminal manufacture, 51 sale, or transport of an undetectable firearm as defined in section 52 265.50. 53 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of 		
50 first degree as defined in section 405.18 <u>, and criminal manufacture</u> , 51 <u>sale, or transport of an undetectable firearm as defined in section</u> 52 <u>265.50</u> . 53 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of		
51 sale, or transport of an undetectable firearm as defined in section 52 265.50. 53 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of		
53 § 5. The opening paragraph of paragraph (c) of subdivision 2 of 54 section 70.02 of the penal law, as amended by chapter 1 of the laws of		
54 section 70.02 of the penal law, as amended by chapter 1 of the laws of		_
55 2013, is amended to read as follows:		
	55	2013, is amended to read as follows:

1 Except as provided in subdivision six of section 60.05, the sentence 2 imposed upon a person who stands convicted of the class D violent felony 3 offenses of criminal possession of a weapon in the third degree as 4 defined in subdivision five, seven, eight or nine of section 265.02, 5 criminal sale of a firearm in the third degree as defined in section 265.11 [er], the class E violent felonies of attempted criminal б possession of a weapon in the third degree as defined in subdivision 7 five, seven, eight or nine of section 265.02, or criminal manufacture, 8 9 sale, or transport of an undetectable firearm as defined in section 10 <u>265.50</u> must be a sentence to a determinate period of imprisonment, or, 11 in the alternative, a definite sentence of imprisonment for a period of 12 no less than one year, except that: 13 § 6. Paragraph (a) of subdivision 1 of section 460.10 of the penal 14 law, as amended by chapter 368 of the laws of 2015, is amended to read 15 as follows: 16 (a) Any of the felonies set forth in this chapter: sections 120.05, 17 120.10 and 120.11 relating to assault; sections 121.12 and 121.13 relating to strangulation; sections 125.10 to 125.27 relating to homicide; 18 19 sections 130.25, 130.30 and 130.35 relating to rape; sections 135.20 and 20 135.25 relating to kidnapping; sections 135.35 and 135.37 relating to 21 labor trafficking; section 135.65 relating to coercion; sections 140.20, 140.25 and 140.30 relating to burglary; sections 145.05, 145.10 and 22 145.12 relating to criminal mischief; article one hundred fifty relating 23 to arson; sections 155.30, 155.35, 155.40 and 155.42 relating to grand 24 25 larceny; sections 177.10, 177.15, 177.20 and 177.25 relating to health 26 care fraud; article one hundred sixty relating to robbery; sections 27 165.45, 165.50, 165.52 and 165.54 relating to criminal possession of stolen property; sections 165.72 and 165.73 relating to trademark coun-28 terfeiting; sections 170.10, 170.15, 170.25, 170.30, 170.40, 170.65 and 29 30 170.70 relating to forgery; sections 175.10, 175.25, 175.35, 175.40 and 31 210.40 relating to false statements; sections 176.15, 176.20, 176.25 and 32 176.30 relating to insurance fraud; sections 178.20 and 178.25 relating 33 to criminal diversion of prescription medications and prescriptions; sections 180.03, 180.08, 180.15, 180.25, 180.40, 180.45, 200.00, 200.03, 34 200.04, 200.10, 200.11, 200.12, 200.20, 200.22, 200.25, 200.27, 200.56, 35 36 215.00, 215.05 and 215.19; sections 187.10, 187.15, 187.20 and 187.25 37 relating to residential mortgage fraud, sections 190.40 and 190.42 relating to criminal usury; section 190.65 relating to schemes to 38 defraud; any felony defined in article four hundred ninety-six; sections 39 205.60 and 205.65 relating to hindering prosecution; sections 210.10, 40 41 210.15, and 215.51 relating to perjury and contempt; section 215.40 42 relating to tampering with physical evidence; sections 220.06, 220.09, 43 220.16, 220.18, 220.21, 220.31, 220.34, 220.39, 220.41, 220.43, 220.46, 220.55, 220.60, 220.65 and 220.77 relating to controlled substances; 44 45 sections 225.10 and 225.20 relating to gambling; sections 230.25, 46 230.30, and 230.32 relating to promoting prostitution; section 230.34 47 relating to sex trafficking; sections 235.06, 235.07, 235.21 and 235.22 relating to obscenity; sections 263.10 and 263.15 relating to promoting 48 a sexual performance by a child; sections 265.02, 265.03, 265.04, 49 265.11, 265.12, 265.13 and the provisions of section 265.10 which 50 51 constitute a felony relating to firearms and other dangerous weapons; 52 sections 265.14 and 265.16 relating to criminal sale of a firearm; 53 section 275.10, 275.20, 275.30, or 275.40 relating to unauthorized 54 recordings; [and] sections 470.05, 470.10, 470.15 and 470.20 relating to 55 money laundering; and section 265.50 relating to the criminal manufac-56 ture, sale, or transport of an undetectable firearm; or

4

1 § 7. Paragraph (b) of subdivision 8 of section 700.05 of the criminal 2 procedure law, as amended by chapter 368 of the laws of 2015, is amended 3 to read as follows:

4 (b) Any of the following felonies: assault in the second degree as 5 defined in section 120.05 of the penal law, assault in the first degree б as defined in section 120.10 of the penal law, reckless endangerment in 7 the first degree as defined in section 120.25 of the penal law, promoting a suicide attempt as defined in section 120.30 of the penal law, 8 9 strangulation in the second degree as defined in section 121.12 of the 10 penal law, strangulation in the first degree as defined in section 11 121.13 of the penal law, criminally negligent homicide as defined in section 125.10 of the penal law, manslaughter in the second degree as 12 13 defined in section 125.15 of the penal law, manslaughter in the first 14 degree as defined in section 125.20 of the penal law, murder in the second degree as defined in section 125.25 of the penal law, 15 murder in 16 the first degree as defined in section 125.27 of the penal law, abortion 17 in the second degree as defined in section 125.40 of the penal law, abortion in the first degree as defined in section 125.45 of the penal 18 law, rape in the third degree as defined in section 130.25 of the penal 19 20 law, rape in the second degree as defined in section 130.30 of the penal 21 law, rape in the first degree as defined in section 130.35 of the penal law, criminal sexual act in the third degree as defined in section 22 130.40 of the penal law, criminal sexual act in the second degree as 23 defined in section 130.45 of the penal law, criminal sexual act in the 24 first degree as defined in section 130.50 of the penal law, sexual abuse 25 26 in the first degree as defined in section 130.65 of the penal law, 27 unlawful imprisonment in the first degree as defined in section 135.10 28 of the penal law, kidnapping in the second degree as defined in section 29 135.20 of the penal law, kidnapping in the first degree as defined in 30 section 135.25 of the penal law, labor trafficking as defined in section 31 135.35 of the penal law, aggravated labor trafficking as defined in 32 section 135.37 of the penal law, custodial interference in the first 33 degree as defined in section 135.50 of the penal law, coercion in the 34 first degree as defined in section 135.65 of the penal law, criminal 35 trespass in the first degree as defined in section 140.17 of the penal 36 law, burglary in the third degree as defined in section 140.20 of the 37 penal law, burglary in the second degree as defined in section 140.25 of 38 the penal law, burglary in the first degree as defined in section 140.30 of the penal law, criminal mischief in the third degree as defined in 39 section 145.05 of the penal law, criminal mischief in the second degree 40 41 as defined in section 145.10 of the penal law, criminal mischief in the 42 first degree as defined in section 145.12 of the penal law, criminal 43 tampering in the first degree as defined in section 145.20 of the penal 44 law, arson in the fourth degree as defined in section 150.05 of the 45 penal law, arson in the third degree as defined in section 150.10 of the 46 penal law, arson in the second degree as defined in section 150.15 of 47 the penal law, arson in the first degree as defined in section 150.20 of the penal law, grand larceny in the fourth degree as defined in section 48 49 155.30 of the penal law, grand larceny in the third degree as defined in section 155.35 of the penal law, grand larceny in the second degree as 50 51 defined in section 155.40 of the penal law, grand larceny in the first 52 degree as defined in section 155.42 of the penal law, health care fraud 53 the fourth degree as defined in section 177.10 of the penal law, in 54 health care fraud in the third degree as defined in section 177.15 of the penal law, health care fraud in the second degree as defined in 55 56 section 177.20 of the penal law, health care fraud in the first degree

1

2

3 4

5

б

7

8

9

10

11

12

13

14

15

16

17

18 19

20

21

22

23

24 25

26

27

28

29

as defined in section 177.25 of the penal law, robbery in the third degree as defined in section 160.05 of the penal law, robbery in the second degree as defined in section 160.10 of the penal law, robbery in the first degree as defined in section 160.15 of the penal law, unlawful use of secret scientific material as defined in section 165.07 of the penal law, criminal possession of stolen property in the fourth degree as defined in section 165.45 of the penal law, criminal possession of stolen property in the third degree as defined in section 165.50 of the penal law, criminal possession of stolen property in the second degree as defined by section 165.52 of the penal law, criminal possession of stolen property in the first degree as defined by section 165.54 of the penal law, trademark counterfeiting in the second degree as defined in section 165.72 of the penal law, trademark counterfeiting in the first degree as defined in section 165.73 of the penal law, forgery in the second degree as defined in section 170.10 of the penal law, forgery in the first degree as defined in section 170.15 of the penal law, criminal possession of a forged instrument in the second degree as defined in section 170.25 of the penal law, criminal possession of a forged instrument in the first degree as defined in section 170.30 of the penal law, criminal possession of forgery devices as defined in section 170.40 of the penal law, falsifying business records in the first degree as defined in section 175.10 of the penal law, tampering with public in the first degree as defined in section 175.25 of the penal records law, offering a false instrument for filing in the first degree as defined in section 175.35 of the penal law, issuing a false certificate as defined in section 175.40 of the penal law, criminal diversion of prescription medications and prescriptions in the second degree as defined in section 178.20 of the penal law, criminal diversion of prescription medications and prescriptions in the first degree as

30 defined in section 178.25 of the penal law, residential mortgage fraud 31 in the fourth degree as defined in section 187.10 of the penal law, 32 residential mortgage fraud in the third degree as defined in section 33 187.15 of the penal law, residential mortgage fraud in the second degree as defined in section 187.20 of the penal law, residential mortgage 34 35 fraud in the first degree as defined in section 187.25 of the penal law, 36 escape in the second degree as defined in section 205.10 of the penal 37 law, escape in the first degree as defined in section 205.15 of the 38 penal law, absconding from temporary release in the first degree as defined in section 205.17 of the penal law, promoting prison contraband 39 in the first degree as defined in section 205.25 of the penal law, 40 41 hindering prosecution in the second degree as defined in section 205.60 42 of the penal law, hindering prosecution in the first degree as defined 43 in section 205.65 of the penal law, sex trafficking as defined in 44 section 230.34 of the penal law, criminal possession of a weapon in the 45 third degree as defined in subdivisions two, three and five of section 46 265.02 of the penal law, criminal possession of a weapon in the second 47 degree as defined in section 265.03 of the penal law, criminal possession of a weapon in the first degree as defined in section 265.04 48 49 of the penal law, manufacture, transport, disposition and defacement of 50 weapons and dangerous instruments and appliances defined as felonies in 51 subdivisions one, two, and three of section 265.10 of the penal law, 52 sections 265.11, 265.12 and 265.13 of the penal law, or prohibited use 53 weapons as defined in subdivision two of section 265.35 of the penal of 54 law, relating to firearms and other dangerous weapons, $[\bullet r]$ failure to 55 disclose the origin of a recording in the first degree as defined in 56 section 275.40 of the penal law, or criminal manufacture, sale, or

1	<u>transport</u>	of	an	undetectable	firearm	as	<u>defined</u>	in	<u>section</u>	265.50	of	the
2	penal law	;										
2							1	-			,	

3 § 8. This act shall take effect on the one hundred eightieth day after 4 it shall have become a law.