# STATE OF NEW YORK

9577

# IN ASSEMBLY

January 23, 2018

Introduced by M. of A. WOERNER -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the promotion of prison contraband

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

Section 1. Subdivision 4 of section 205.00 and section 205.25 of the penal law are amended to read as follows:

4. "Dangerous contraband" means contraband which is capable of such use as may endanger the safety or security of a detention facility or any person therein **which shall include, but shall not be limited to firearms and other dangerous weapons as defined in section 265.00 of this part, destructive devices as defined in 26 USC §5845(f) and controlled substances as defined in section 220.00 of this part**.

§ 205.25 Promoting prison contraband in the first degree.

A person is guilty of promoting prison contraband in the first degree when:

1. He **or she** knowingly and unlawfully introduces any dangerous contraband into a detention facility; or

2. Being a person confined in a detention facility, he **or she** knowingly and unlawfully makes, obtains or possesses any dangerous contraband.

Promoting prison contraband in the first degree is a class [~~D~~] **C** felony.

§ 2. This act shall take effect immediately.

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

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