

# STATE OF NEW YORK

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176

2017-2018 Regular Sessions

## IN SENATE

(Prefiled)

January 4, 2017

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Introduced by Sens. MARCHIONE, LARKIN -- read twice and ordered printed,  
and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to the possession of anti-security items

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

1 Section 1. Section 155.30 of the penal law is amended by adding a new  
2 subdivision 12 to read as follows:

3 12. The property is taken by a person who is in possession of an anti-  
4 security item. For the purposes of this subdivision an "anti-security  
5 item" is defined as an item designed for the purpose of overcoming  
6 detection of security markings or attachments placed on property offered  
7 for sale at such an establishment.

8 § 2. Section 170.47 of the penal law, as added by chapter 580 of the  
9 laws of 1983, is amended to read as follows:

10 § 170.47 Criminal possession of an anti-security item.

11 A person is guilty of criminal possession of an anti-security item,  
12 when with intent to steal property at a retail mercantile establishment  
13 as defined in article twelve-B of the general business law, he knowingly  
14 possesses in such an establishment an item designed for the purpose of  
15 overcoming detection of security markings or attachments placed on prop-  
16 erty offered for sale at such an establishment.

17 Criminal possession of an anti-security item is a class ~~B~~ A misde-  
18 meanor.

19 § 3. This act shall take effect on the first of November next succeed-  
20 ing the date on which 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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