STATE OF NEW YORK

2572--A

2017-2018 Regular Sessions

IN SENATE

January 13, 2017

Introduced by Sens. HELMING, MARCHIONE, RITCHIE -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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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