STATE OF NEW YORK

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4841--A

2017-2018 Regular Sessions

IN SENATE

March 3, 2017
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Introduced by Sen. HAMILTON -- read twice and ordered printed, and when
  printed to be committed to the Committee on Codes -- committee
  discharged, bill amended, ordered reprinted as amended and recommitted
  to said committee

AN ACT to amend the penal law, in relation to theft of transit services

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

1   Section 1. Subdivision 3 of section 165.15 of the penal law is amended
2 to read as follows:
3   3. With intent to obtain [~~railroad, subway,~~] bus, air, taxi or any
4 other public transportation service without payment of the lawful charge
5 therefor, or to avoid payment of the lawful charge for such transporta-
6 tion service which has been rendered to him, he obtains or attempts to
7 obtain such service or avoids or attempts to avoid payment therefor by
8 force, intimidation, stealth, deception or mechanical tampering, or by
9 unjustifiable failure or refusal to pay; or
10   § 2. The penal law is amended by adding a new section 165.18 to read
11 as follows:
12 **§ 165.18 Theft of transit services.**
13   **A person is guilty of theft of transit services when with intent to**
14 **obtain railroad or subway service without payment of the lawful charge**
15 **therefor, or to avoid payment of the lawful charge for such transporta-**
16 **tion service which has been rendered to him or her, he or she obtains or**
17 **attempts to obtain such service or avoids or attempts to avoid payment**
18 **therefor by force, intimidation, stealth, deception or mechanical**
19 **tampering, or by unjustifiable failure or refusal to pay.**
20   **Theft of transit services is a violation, provided however, where the**
21 **defendant has previously been convicted of this offense within the three**
22 **years immediately preceding such violation, it shall be punishable by a**
23 **fine of not more than five hundred dollars.**
24   § 3. This act shall take effect immediately.

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