

# STATE OF NEW YORK

5151

2019-2020 Regular Sessions

## IN ASSEMBLY

February 7, 2019

Introduced by M. of A. DiPIETRO, HAWLEY, CROUCH, KOLB, FRIEND -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to establishing the crime of unlawful tampering of the milk supply in the first degree

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

1 Section 1. The penal law is amended by adding a new section 145.28 to  
2 read as follows:

3 § 145.28 Unlawful tampering of the milk supply in the first degree.

4 1. A person is guilty of unlawful tampering of the milk supply in the  
5 first degree when, with intent to cause a substantial impairment or  
6 adulteration of raw milk, and having no right to do so nor any reason-  
7 able ground to believe that he or she has such right, he or she damages  
8 or tampers with such raw milk supply, and thereby causes substantial  
9 impairment or adulteration of such raw milk.

10 2. A person who unlawfully tampers with a milk supply shall be liable  
11 to the owner of such milk supply for the fair market value of the  
12 impaired or adulterated milk supply at the time of the impairment or  
13 adulteration. The owner of such milk supply shall, to the extent permit-  
14 ted by law, be relieved and held harmless from any and all liability  
15 imposed under this section.

16 Unlawful tampering of the milk supply in the first degree is a class D  
17 felony.

18 § 2. This act shall take effect on the first of November next succeed-  
19 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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