

# STATE OF NEW YORK

5029

2023-2024 Regular Sessions

## IN ASSEMBLY

February 27, 2023

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

AN ACT to amend the penal law, in relation to allowing prosecutors to combine certain charges

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

1 Section 1. Subdivisions 9, 10 and 11 of section 155.30 of the penal  
2 law, subdivision 9 as amended by chapter 479 of the laws of 2010, subdivi-  
3 sion 10 as added by chapter 491 of the laws of 1992 and subdivision 11  
4 as added by chapter 394 of the laws of 2005, are amended and a new  
5 subdivision 12 is added to read as follows:

6 9. The property consists of a scroll, religious vestment, a vessel, an  
7 item comprising a display of religious symbols which forms a represen-  
8 tative expression of faith, or other miscellaneous item of property  
9 which:

10 (a) has a value of at least one hundred dollars; and

11 (b) is kept for or used in connection with religious worship in any  
12 building, structure or upon the curtilage of such building or structure  
13 used as a place of religious worship by a religious corporation, as  
14 incorporated under the religious corporations law or the education  
15 law[-]; or

16 10. The property consists of an access device which the person intends  
17 to use unlawfully to obtain telephone service[-]; or

18 11. The property consists of anhydrous ammonia or liquified ammonia  
19 gas and the actor intends to use, or knows another person intends to  
20 use, such anhydrous ammonia or liquified ammonia gas to manufacture  
21 methamphetamine[-]; or

22 12. Such person has previously been subjected to two or more petit  
23 larceny convictions as defined in section 155.25 of this article within  
24 the eighteen months immediately preceding the charge under this section  
25 and the aggregate value of the property exceeds one thousand dollars.

26 § 2. This act shall take effect on the first of November next succeed-  
27 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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