STATE OF NEW YORK

8425

2023-2024 Regular Sessions

IN ASSEMBLY

December 29, 2023

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

AN ACT to amend the penal law, in relation to making technical corrections to the definition of the weapon designated as a "throwing star" or "shuriken"

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

Section 1. This act shall be known and may be cited as the "replacing prejudiced term act".

§ 2. Subdivision 15-b of section 265.00 of the penal law, as added by chapter 61 of the laws of 1985, is amended to read as follows:

15-b. [~~"Kung Fu star"~~] "Throwing star" or "shuriken" means a disc-like object with sharpened points on the circumference thereof and is designed for use primarily as a weapon to be thrown.

§ 3. Subdivision 1 of section 120.55 of the penal law, as amended by chapter 257 of the laws of 2008, is amended to read as follows:

1. Commits the crime of stalking in the third degree as defined in subdivision three of section 120.50 of this article and in the course of and in furtherance of the commission of such offense: (i) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, shotgun, machine gun, electronic dart gun, electronic stun gun, cane sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sandclub, slingshot, slungshot, [~~shirken, "Kung Fu Star"~~] shuriken, throwing star, dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapon; or (ii) displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or

§ 4. Subdivision 1 of section 265.01 of the penal law, as amended by chapter 34 of the laws of 2019, is amended to read as follows:

(1) He or she possesses any firearm, electronic dart gun, electronic stun gun, switchblade knife, pilum ballistic knife, metal knuckle knife,

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

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cane sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chuka stick, sand bag, sandclub, wrist-brace type slingshot or slungshot, [~~shirken, or "Kung Fu star"~~] **shuriken, or throwing star**;

§ 5. Subdivisions 1 and 2 of section 265.10 of the penal law, as separately amended by chapters 34, 130 and 146 of the laws of 2019, are amended to read as follows:

1. Any person who manufactures or causes to be manufactured any machine-gun, assault weapon, large capacity ammunition feeding device or disguised gun is guilty of a class D felony. Any person who manufactures or causes to be manufactured any rapid-fire modification device is guilty of a class E felony. Any person who manufactures or causes to be manufactured any switchblade knife, pilum ballistic knife, metal knuckle knife, undetectable knife, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, [~~Kung Fu~~] **throwing** star, chuka stick, sandbag, sandclub or slungshot is guilty of a class A misdemeanor.

2. Any person who transports or ships any machine-gun, firearm silencer, assault weapon or large capacity ammunition feeding device or disguised gun, or who transports or ships as merchandise five or more firearms, is guilty of a class D felony. Any person who transports or ships any rapid-fire modification device is guilty of a class E felony. Any person who transports or ships as merchandise any firearm, other than an assault weapon, switchblade knife, pilum ballistic knife, undetectable knife, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, [~~Kung Fu~~] **throwing** star, chuka stick, sandbag or slungshot is guilty of a class A misdemeanor.

§ 6. This act shall take effect immediately.