STATE OF NEW YORK

9708

IN SENATE

May 22, 2024

Introduced by Sen. THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to deterring theft of essential infrastructure

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 "prevention of damage to essential infrastructure act of 2024".

§ 2. The penal law is amended by adding two new sections 155.26 and 155.27 to read as follows:

§ 155.26 Grand larceny of essential services in the second degree.

1. A person is guilty of grand larceny of essential services in the second degree when such person steals the property of an essential service provider as defined in subdivision two of this section.

2. For purposes of this section, an "essential service provider" shall mean a utility company as defined in subdivision twenty-three of section two of the public service law, a cable television company as defined in subdivision one of section two hundred twelve of such law, an internet service provider as defined in paragraph (g) of subdivision one of section two hundred twenty-four-c of such law, a cellular telephone company, any other person or entity providing voice or data communications services to the public, regardless of its regulatory status under state or federal law, or a public utility authority subject to the provisions of article five of the public authorities law.

Grand larceny of essential services in the second degree is a class C felony.

§ 155.27 Grand larceny of essential services in the first degree.

A person is guilty of grand larceny of essential services in the first degree when such person steals property of an essential service provider, as defined in subdivision two of section 155.26 of this article, and such action causes a substantial interruption or impairment of services provided by such essential service provider.

Grand larceny of essential services in the first degree is a class B felony.

§ 3. This act shall take effect on the ninetieth day after 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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