STATE OF NEW YORK

2344

2023-2024 Regular Sessions

IN ASSEMBLY

January 25, 2023

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

AN ACT to amend the penal law, in relation to establishing the crime of criminally negligent use of real property

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

Section 1. The penal law is amended by adding a new section 240.80 to read as follows:

§ 240.80 Criminally negligent use of real property.

1. A person is guilty of criminally negligent use of real property when he or she:

(a) is an owner or lessor of such real property;

(b) leases or gives possession of such property to a lessee or occupant; and

(c) permits the unlawful use or occupancy of such property by such lessee or occupant.

2. For purposes of this section the following terms shall have the following meanings:

(a) "Permits" shall mean:

(i) knowledge of such unlawful use or occupancy; or

(ii) knowledge of the lessee or occupant, within a period of one year, being convicted of two or more offenses related to the unlawful use or occupancy of property as described in paragraph (b) of this subdivision.

(b) "Unlawful use or occupancy" shall include, but not be limited to, unsanctioned:

(i) gambling, as defined in subdivision two of section 225.00 of this chapter;

(ii) combative sports; or

(iii) organized entertainment events, including but not limited to, events serving and charging for the consumption of alcoholic beverages.

Criminally negligent use of real property is a class A misdemeanor.

§ 2. This act shall take effect immediately.

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

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