STATE OF NEW YORK

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2179

2023-2024 Regular Sessions

IN SENATE

January 19, 2023
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Introduced by Sen. O'MARA -- 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 including fires caused by
  the manufacture of a controlled substance within the crime of arson in
  the first degree

  **The People of the State of New York, represented in Senate and Assem-
  bly, do enact as follows:**

 1   Section 1. Subdivision 2 of section 150.20 of the penal law, as
 2 amended by chapter 950 of the laws of 1984, is amended to read as
 3 follows:
 4   2. **A person is guilty of arson in the first degree when, while manu-
 5 facturing, attempting to manufacture or endeavoring to manufacture a
 6 controlled substance in violation of article two hundred twenty of this
 7 chapter, destroys in whole or in part, or causes to be burned or
 8 destroyed, or aids, counsels or procures the burning or destruction of
 9 any building or contents thereof, inhabited or occupied by one or more
10 persons, whether such building or contents is the property of such
11 person or another, or when, while manufacturing or attempting to manu-
12 facture a controlled substance in violation of article two hundred twen-
13 ty of this chapter, causes a person to be burned, or aids, counsels or
14 procures the burning of a person.**
15   **3.** As used in this section, "incendiary device" means a breakable
16 container designed to explode or produce uncontained combustion upon
17 impact, containing flammable liquid and having a wick or a similar
18 device capable of being ignited**; and "controlled substance" shall have
19 the same meaning as set forth in subdivision five of section 220.00 of
20 this chapter**.
21   § 2. This act shall take effect on the sixtieth day after it shall
22 have become a law.

         EXPLANATION--Matter in **italics** (underscored) is new; matter in brackets
                        [–] is old law to be omitted.
                                                         LBD05432-01-3