

STATE OF NEW YORK

8934

IN SENATE

April 1, 2024

Introduced by Sen. CHU -- 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 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:

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

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

5 15-b. [~~"Kung Fu star"~~] "Throwing star" or "shuriken" means a disc-like
6 object with sharpened points on the circumference thereof and is
7 designed for use primarily as a weapon to be thrown.

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

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

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

23 (1) He or she possesses any firearm, electronic dart gun, electronic
24 stun gun, switchblade knife, pilum ballistic knife, metal knuckle knife,
25 cane sword, billy, blackjack, bludgeon, plastic knuckles, metal knock-
26 les, chuka stick, sand bag, sandclub, wrist-brace type slingshot or
27 slungshot, [~~shirken, or "Kung Fu star"~~] shuriken, or throwing star;

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

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

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

13 2. Any person who transports or ships any machine-gun, firearm silenc-
14 er, assault weapon or large capacity ammunition feeding device or
15 disguised gun, or who transports or ships as merchandise five or more
16 firearms, is guilty of a class D felony. Any person who transports or
17 ships any rapid-fire modification device is guilty of a class E felony.
18 Any person who transports or ships as merchandise any firearm, other
19 than an assault weapon, switchblade knife, pilum ballistic knife, unde-
20 tectable knife, billy, blackjack, bludgeon, plastic knuckles, metal
21 knuckles, [~~Kung-Fu~~] throwing star, chuka stick, sandbag or slungshot is
22 guilty of a class A misdemeanor.

23 § 6. This act shall take effect immediately.