

# 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:

1 Section 1. This act shall be known and may be cited as the "prevention  
2 of damage to essential infrastructure act of 2024".

3 § 2. The penal law is amended by adding two new sections 155.26 and  
4 155.27 to read as follows:

5 § 155.26 Grand larceny of essential services in the second degree.

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

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

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

21 § 155.27 Grand larceny of essential services in the first degree.

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

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

29 § 3. This act shall take effect on the ninetieth day after it shall  
30 have become a law.

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

LBD15234-02-4