

# STATE OF NEW YORK

6565

2025-2026 Regular Sessions

## IN SENATE

March 17, 2025

Introduced by Sen. LANZA -- 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 arson in the first degree

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

1 Section 1. Section 150.20 of the penal law, as amended by chapter 950  
2 of the laws of 1984, is amended to read as follows:

3 § 150.20 Arson in the first degree.

4 1. A person is guilty of arson in the first degree when [~~he~~] such  
5 person intentionally damages a building or motor vehicle by causing an  
6 explosion or a fire and when (a) such explosion or fire is caused by or  
7 accelerated by use of ignitable liquid or flammable gas or an incendiary  
8 device propelled, thrown [~~or~~], placed or otherwise dispersed or distrib-  
9 uted inside or near such building or motor vehicle; or when such explo-  
10 sion or fire is caused by an explosive; or when such explosion or fire  
11 either (i) causes serious physical injury to another person other than a  
12 participant, or (ii) the explosion or fire was caused with the expecta-  
13 tion or receipt of financial advantage or pecuniary profit by the actor;  
14 and when (b) another person who is not a participant in the crime is  
15 present in such building or motor vehicle at the time; and (c) the  
16 defendant knows that fact or the circumstances are such as to render the  
17 presence of such person therein a reasonable possibility.

18 2. As used in this section, "incendiary device" means a [~~breakable~~  
19 ~~container~~] device designed to [~~explode or~~] produce uncontained  
20 combustion [~~upon impact, containing flammable liquid and having a wick~~  
21 ~~or a similar device capable of being ignited~~] or used as a source of  
22 ignition.

23 Arson in the first degree is a class A-I felony.

24 § 2. This act shall take effect on the thirtieth day after it shall  
25 have become a law.

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

LBD10691-01-5