S T A T E O F N E W Y O R K

6030

I N S E N A T E

(PREFILED)

January 4, 2012

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 establishing the class E felony of failure to report child abuse

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 260.40 to read as follows:

S 260.40 FAILURE TO REPORT CHILD ABUSE.

A PERSON IS GUILTY OF FAILURE TO REPORT CHILD ABUSE WHEN, BEING EIGHTEEN YEARS OF AGE OR OLDER, HE OR SHE FAILS TO REPORT TO A POLICE OFFICER OR LAW ENFORCEMENT AGENCY, AS SOON AS HE OR SHE IS PHYSICALLY ABLE, THE COMMISSION OF ANY CRIME DEFINED IN THIS CHAPTER AGAINST A CHILD UNDER THE AGE OF SIXTEEN YEARS, AND SUCH PERSON WITNESSES THE COMMISSION OF SUCH CRIME AND HAS REASON TO KNOW THAT HE OR SHE IS WITNESSING A CRIME.

FAILURE TO REPORT CHILD ABUSE IS A CLASS E FELONY.

S 2. This act shall take effect immediately.

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

LBD13694-01-2