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

1458

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sens. FLANAGAN, GOLDEN, LARKIN, MARTINS -- 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 the commission of aggravated sexual abuse

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph (c) of subdivision 1 of section 130.66 of the penal law, as amended by chapter 485 of the laws of 2009, is amended and a new paragraph (d) is added to read as follows:

(c) When the other person is less than eleven years old[.]; OR

(D) WHEN THE OTHER PERSON IS LESS THAN THIRTEEN YEARS OLD AND THE ACTOR IS EIGHTEEN YEARS OLD OR OLDER.

S 2. Paragraph (c) of subdivision 1 of section 130.67 of the penal law, as added by chapter 450 of the laws of 1988, is amended and a new paragraph (d) is added to read as follows:

(c) When the other person is less than eleven years old[.]; OR

(D) WHEN THE OTHER PERSON IS LESS THAN THIRTEEN YEARS OLD AND THE ACTOR IS EIGHTEEN YEARS OLD OR OLDER.

S 3. Paragraph (c) of subdivision 1 of section 130.70 of the penal law, as amended by chapter 450 of the laws of 1988, is amended and a new paragraph (d) is added to read as follows:

(c) When the other person is less than eleven years old[.]; OR

(D) WHEN THE OTHER PERSON IS LESS THAN THIRTEEN YEARS OLD AND THE ACTOR IS EIGHTEEN YEARS OLD OR OLDER.

S 4. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

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

LBD05628-01-3