

STATE OF NEW YORK

7079--A

2021-2022 Regular Sessions

IN ASSEMBLY

April 21, 2021

Introduced by M. of A. BURDICK, THIELE, DICKENS, GUNTHER, FERNANDEZ, OTIS, CLARK, JACKSON, RICHARDSON, GONZALEZ-ROJAS -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to sexual conduct against a child in the second degree

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

1 Section 1. Section 130.80 of the penal law, as amended by chapter 1 of
2 the laws of 2000, is amended to read as follows:
3 § 130.80 Course of sexual conduct against a child in the second degree.
4 1. A person is guilty of course of sexual conduct against a child in
5 the second degree when, over a period of time not less than three months
6 in duration:
7 (a) he or she engages in two or more acts of sexual conduct with a
8 child less than eleven years old; or
9 (b) he or she, being eighteen years old or more, engages in two or
10 more acts of sexual conduct with a child less than thirteen years old.
11 2. A person may not be subsequently prosecuted for any other sexual
12 offense involving the same victim unless the other charged offense
13 occurred outside the time period charged under this section.
14 Course of sexual conduct against a child in the second degree is a
15 class [D] C felony.
16 § 2. This act shall take effect on the thirtieth day after it shall
17 have become a law.

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

LBD10674-02-1