

STATE OF NEW YORK

1822

2023-2024 Regular Sessions

IN SENATE

January 17, 2023

Introduced by Sen. STAVISKY -- 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 enhanced penalties for threatening to expose a witness or a domestic violence victim's immigration status

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

1 Section 1. The penal law is amended by adding a new section 70.11 to
2 read as follows:

3 § 70.11 Sentences of imprisonment for domestic violence; aggravating
4 factors.

5 In matters divested to a criminal court under section eight hundred
6 twelve of the family court act, or where such court exercises concurrent
7 jurisdiction under such section and in matters referred to a criminal
8 court under article six-A of the social services law, where the respond-
9 ent threatens to expose a witness or a victim's immigration status in
10 order to coerce such victim or witness or conceal such offense, shall
11 result in the following enhancement of such sentence:

12 (a) For offenses committed under section 120.00 of this chapter, the
13 sentence shall reflect a class E felony;

14 (b) For offenses committed under section 120.05 of this chapter, the
15 sentence shall reflect a class C felony;

16 (c) For offenses committed under section 120.10 of this chapter, the
17 sentence shall reflect a class A felony;

18 (d) For offenses committed under section 120.13 of this chapter, the
19 sentence shall reflect a class D felony;

20 (e) For offenses committed under section 120.14 of this chapter, the
21 sentence shall reflect a class E felony;

22 (f) For offenses committed under section 120.15 of this chapter, the
23 sentence shall reflect a class A misdemeanor;

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

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(g) For offenses committed under section 120.20 of this chapter, the sentence shall reflect a class E felony;
(h) For offenses committed under section 120.25 of this chapter, the sentence shall reflect a class C felony;
(i) For offenses committed under section 120.45 of this chapter, the sentence shall reflect a class A misdemeanor;
(j) For offenses committed under section 120.50 of this chapter, the sentence shall reflect a class E felony;
(k) For offenses committed under section 120.55 of this chapter, the sentence shall reflect a class D felony;
(l) For offenses committed under section 120.60 of this chapter, the sentence shall reflect a class C felony;
(m) For offenses committed under section 121.11 of this chapter, the sentence shall reflect a class E felony;
(n) For offenses committed under section 121.12 of this chapter, the sentence shall reflect a class C felony;
(o) For offenses committed under section 121.13 of this chapter, the sentence shall reflect a class B felony;
(p) For offenses committed under section 130.25 of this chapter, the sentence shall reflect a class D felony;
(q) For offenses committed under section 130.30 of this chapter, the sentence shall reflect a class C felony;
(r) For offenses committed under section 130.35 of this chapter, the sentence shall reflect a class A felony;
(s) For offenses committed under section 130.40 of this chapter, the sentence shall reflect a class D felony;
(t) For offenses committed under section 130.45 of this chapter, the sentence shall reflect a class C felony;
(u) For offenses committed under section 130.50 of this chapter, the sentence shall reflect a class A felony;
(v) For offenses committed under section 130.55 of this chapter, the sentence shall reflect a class A misdemeanor;
(w) For offenses committed under section 130.60 of this chapter, the sentence shall reflect a class E felony;
(x) For offenses committed under section 130.65 of this chapter, the sentence shall reflect a class C felony;
(y) For offenses committed under section 130.65-a of this chapter, the sentence shall reflect a class D felony;
(z) For offenses committed under section 130.66 of this chapter, the sentence shall reflect a class C felony;
(aa) For offenses committed under section 130.67 of this chapter, the sentence shall reflect a class B felony;
(bb) For offenses committed under section 130.70 of this chapter, the sentence shall reflect a class A felony;
(cc) For offenses committed under section 135.05 of this chapter, the sentence shall reflect a class E felony;
(dd) For offenses committed under section 135.10 of this chapter, the sentence shall reflect a class D felony;
(ee) For offenses committed under section 135.20 of this chapter, the sentence shall reflect a class A felony;
(ff) For offenses committed under section 135.45 of this chapter, the sentence shall reflect a class E felony;
(gg) For offenses committed under section 135.50 of this chapter, the sentence shall reflect a class D felony.

§ 2. This act shall take effect immediately.