STATE OF NEW YORK

3401

2025-2026 Regular Sessions

IN ASSEMBLY

January 27, 2025

Introduced by M. of A. BUTTENSCHON, JACOBSON, PHEFFER AMATO, SIMON, STERN, ANGELINO -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to modifying the crime of criminal solicitation in the third degree

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

Section 1. Section 100.08 of the penal law, as added by chapter 422 of the laws of 1978, is amended to read as follows:

§ 100.08 Criminal solicitation in the third degree.

A person is guilty of criminal solicitation in the third degree when[~~,~~]:

1. being over eighteen years of age, with **the** intent that another person under sixteen years of age engage in conduct that would constitute a felony, [~~he~~] **such person** solicits, requests, commands, importunes or otherwise attempts to cause such other person to engage in such conduct[~~,~~]**; or**

2. being over eighteen years of age, with the intent that another person under eighteen years of age engage in conduct that would constitute a crime under article two hundred sixty-five of this chapter, such person intentionally provides a loaded firearm to such other person in order to protect the actor from criminal prosecution.

Criminal solicitation in the third degree is a class E felony.

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

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

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