# STATE OF NEW YORK

3465

2025-2026 Regular Sessions

# IN ASSEMBLY

January 27, 2025

Introduced by M. of A. LAVINE -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to establishing the crime of domestic violence

**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 240.80 to read as follows:

**§ 240.80 Domestic violence.**

**1. A person is guilty of domestic violence when such person commits a specified misdemeanor defined in subdivision three of this section and where there was a specified relationship between the defendant and the person against whom the offense was committed as defined in subdivision two of this section.**

**2. A "specified relationship" is one where (a) the defendant is a current or former spouse, parent or guardian of the victim; (b) the defendant is a person with whom the victim shares a child in common; (c) the defendant is a person who is cohabitating with or has cohabitated with the victim as a spouse, parent or guardian; or (d) the defendant is a person similarly situated to a spouse, parent or guardian of the victim.**

**3. A "specified misdemeanor" is an offense defined in section 120.00 (assault in the third degree); section 120.14 (menacing in the second degree); section 121.11 (criminal obstruction of breathing or blood circulation); section 130.52 (forcible touching); or section 240.30 (aggravated harassment in the second degree) of this part.**

**Domestic violence is a class A misdemeanor.**

§ 2. This act shall take effect on the ninetieth 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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