

11076

I N A S S E M B L Y

May 13, 2010

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

AN ACT to amend the penal law, in relation to establishing the offense
of aggravated endangering the welfare of a child

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 260.12 to
2 read as follows:
3 S 260.12 AGGRAVATED ENDANGERING THE WELFARE OF A CHILD.
4 A PERSON IS GUILTY OF AGGRAVATED ENDANGERING THE WELFARE OF A CHILD
5 WHEN HE OR SHE IS A PARENT, GUARDIAN OR OTHER PERSON LEGALLY CHARGED
6 WITH THE CARE OF A CHILD LESS THAN EIGHTEEN YEARS OF AGE WHO KNOWINGLY
7 ACTS IN A MANNER LIKELY TO BE INJURIOUS TO THE PHYSICAL, MENTAL OR MORAL
8 WELFARE OF SUCH CHILD AND:
9 1. SUCH PERSON HAS PREVIOUSLY BEEN CONVICTED OF ANY OFFENSE SET FORTH
10 IN THIS CHAPTER IN WHICH THE VICTIM WAS A CHILD LESS THAN EIGHTEEN YEARS
11 OLD; OR
12 2. THE CONDUCT OF SUCH PERSON INCLUDES ACTS THAT CAUSE THE CHILD
13 EXTREME PAIN OR WHICH ARE CARRIED OUT IN AN ESPECIALLY VICIOUS OR SADISTIC
14 MANNER.
15 AGGRAVATED ENDANGERING THE WELFARE OF A CHILD IS A CLASS E FELONY.
16 S 2. This act shall take effect on the first of November next succeeding
17 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.

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