S T A T E O F N E W Y O R K

4489

2009-2010 Regular Sessions

I N A S S E M B L Y

February 4, 2009

Introduced by M. of A. ESPAILLAT, EDDINGTON, FIELDS, COOK -- Multi-Sponsored by -- M. of A. CALHOUN, LATIMER, ORTIZ, SCARBOROUGH, TOWNS -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to creating the crime of sports rage in the presence of a minor

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 240.23 to read as follows:

S 240.23 SPORTS RAGE IN THE PRESENCE OF A MINOR.

A PERSON IS GUILTY OF SPORTS RAGE IN THE PRESENCE OF A MINOR WHEN, WITHOUT REGARD TO THE AFFECT IT HAS ON A PERSON UNDER THE AGE OF SIXTEEN, A PERSON OVER THE AGE OF EIGHTEEN, WHO IS A NON-PARTICIPANT IN THE SPORTING EVENT, RECKLESSLY ENDANGERS THE SAFETY OF SUCH MINOR BY ENGAGING IN FIGHTING OR IN VIOLENT, TUMULTUOUS OR THREATENING BEHAVIOR AT A PROFESSIONAL, NON-PROFESSIONAL OR YOUTH SPORTING EVENT WHILE IN THE PRESENCE OF ONE OR MORE PERSONS UNDER THE AGE OF SIXTEEN.

SPORTS RAGE IN THE PRESENCE OF A MINOR IS A CLASS B MISDEMEANOR.

S 2. This act shall take effect on the first of November next succeeding 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.

LBD07541-01-9