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

4934

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

Introduced by M. of A. ESPAILLAT, PERALTA, ROBINSON, COLTON -- Multi-Sponsored by -- M. of A. ALFANO, BARRA, BOYLAND, HOOPER, TITONE -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to public display of offensive sexual material in a motor vehicle

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The opening paragraph of section 245.11 of the penal law, as amended by chapter 231 of the laws of 1985, is amended to read as follows:

A person is guilty of public display of offensive sexual material when, with knowledge of its character and content, he OR SHE displays or permits to be displayed in or on any window, showcase, newsstand, display rack, wall, door, billboard, display board, viewing screen, VIDEO DISPLAY, moving picture screen, marquee or similar place, in such manner that the display is easily visible from or in any: public street, sidewalk or thoroughfare; MOTOR VEHICLE; transportation facility; or any place accessible to members of the public without fee or other limit or condition of admission such as a minimum age requirement and including but not limited to schools, places of amusement, MOTOR VEHICLES, parks and playgrounds but excluding rooms or apartments designed for actual residence; any pictorial, three-dimensional or other visual representation of a person or a portion of the human body that predominantly appeals to prurient interest in sex, and that:

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.

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