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

2795

2009-2010 Regular Sessions

I N  S E N A T E

March 3, 2009

Introduced by Sen. NOZZOLIO -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to establishing the crime of exposure of a person on school grounds

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 245.03 to read as follows:

S 245.03 EXPOSURE OF A PERSON ON SCHOOL GROUNDS.

A PERSON IS GUILTY OF EXPOSURE ON SCHOOL GROUNDS AS SUCH TERM IS DEFINED IN SUBDIVISION FOURTEEN OF SECTION 220.00 OF THIS CHAPTER, IF HE OR SHE APPEARS ON SCHOOL GROUNDS IN SUCH A MANNER THAT THE PRIVATE OR INTIMATE PARTS OF HIS OR HER BODY ARE UNCLOTHED OR EXPOSED. FOR PURPOSES OF THIS SECTION, THE PRIVATE OR INTIMATE PARTS OF A FEMALE PERSON SHALL INCLUDE THAT PORTION OF THE BREAST WHICH IS BELOW THE TOP OF THE AREOLA. THIS SECTION SHALL NOT APPLY TO THE BREASTFEEDING OF INFANTS OR TO ANY PERSON ENTERTAINING OR PERFORMING IN A PLAY, EXHIBITION, SHOW OR ENTERTAINMENT.

EXPOSURE OF A PERSON ON SCHOOL GROUNDS IS A CLASS E FELONY.

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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