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

10932

I N A S S E M B L Y

May 4, 2010

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

AN ACT to amend the penal law, in relation to the definition of sexual contact for the purposes of sex offenses and endangering the welfare of a vulnerable elderly person

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

Section 1. Subdivision 3 of section 130.00 of the penal law, as amended by chapter 650 of the laws of 1984, is amended to read as follows:

3. "Sexual contact" means any touching of the sexual or other intimate parts of a person [not married to the actor] for the purpose of gratifying sexual desire of either party. It includes the touching of the actor by the victim, as well as the touching of the victim by the actor, whether directly or through clothing.

S 2. Subdivision 2 of section 260.31 of the penal law, as added by chapter 381 of the laws of 1998, such section as renumbered by chapter 14 of the laws of 2010, is amended to read as follows:

2. "Sexual contact" means any touching of the sexual or other intimate parts of a person [not married to the actor] for the purpose of gratifying sexual desire of either party. It includes the touching of the actor by the victim, as well as the touching of the victim by the actor, whether directly or through clothing.

S 3. This act shall take effect immediately, except that section two of this act shall take effect on the same date and in the same manner as chapter 14 of the laws of 2010, takes effect.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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