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

5887

2009-2010 Regular Sessions

I N A S S E M B L Y

February 23, 2009

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

AN ACT to amend the criminal procedure law, in relation to eliminating periods of limitation for the prosecution of class B felony sex offenses

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

Section 1. Paragraph (a) of subdivision 2 of section 30.10 of the criminal procedure law, as amended by chapter 467 of the laws of 2008, is amended to read as follows:

(a) A prosecution for a class A felony, or rape in the first degree as defined in section 130.35 of the penal law, or a crime defined or formerly defined in section 130.50 of the penal law, OR SEXUAL ABUSE IN THE THIRD DEGREE AS DEFINED IN SECTION 130.55 OF THE PENAL LAW, or aggravated sexual abuse in the first degree as defined in section 130.70 of the penal law, or course of sexual conduct against a child in the first degree as defined in section 130.75 of the penal law may be commenced at any time;

S 2. This act shall take effect immediately and shall apply to all class B sex offenses as to the prosecution of which the period of limitation has not expired on the effective date of this act.

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

LBD09099-01-9