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

6038

2009-2010 Regular Sessions

I N A S S E M B L Y

February 24, 2009

Introduced by M. of A. KOON, SCHIMMINGER, MAYERSOHN, GALEF, HOOPER -- Multi-Sponsored by -- M. of A. BOYLAND, CLARK, COLTON, FIELDS, GUNTHER, JOHN, LAVINE, PHEFFER, ROBINSON, TOWNS, WEISENBERG, WRIGHT -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to endangering the welfare of a child by committing a physical assault in such child's presence

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

Section 1. Subdivision 2 of section 260.10 of the penal law is renumbered subdivision 4 and two new subdivisions 2 and 3 are added to read as follows:

2. WITH INTENT TO CAUSE PHYSICAL INJURY TO A MEMBER OF THE SAME FAMILY OR HOUSEHOLD, AS DEFINED IN SECTION 530.11 OF THE CRIMINAL PROCEDURE LAW, HE OR SHE CAUSES SUCH INJURY TO SUCH PERSON IN THE PRESENCE OF A CHILD LESS THAN SEVENTEEN YEARS OLD; OR

3. HE OR SHE RECKLESSLY CAUSES PHYSICAL INJURY TO A MEMBER OF THE SAME FAMILY OR HOUSEHOLD, AS DEFINED BY SECTION 530.11 OF THE CRIMINAL PROCEDURE LAW, IN THE PRESENCE OF A CHILD LESS THAN SEVENTEEN YEARS OLD; OR

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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