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

6223

2009-2010 Regular Sessions

I N A S S E M B L Y

February 26, 2009

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

AN ACT to amend the penal law, in relation to the sanctions for repeat offenses of the crime of public lewdness

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

Section 1. Section 245.00 of the penal law, as amended by chapter 748 of the laws of 1968, is amended to read as follows:

S 245.00 Public lewdness.

A person is guilty of public lewdness when he intentionally exposes the private or intimate parts of his body in a lewd manner or commits any other lewd act (a) in a public place, or (b) in private premises under circumstances in which he may readily be observed from either a public place or from other private premises, and with intent that he be so observed.

Public lewdness is a class B misdemeanor.

A SECOND OFFENSE UNDER THIS SECTION COMMITTED WITHIN A TEN YEAR PERIOD IS A CLASS A MISDEMEANOR.

A THIRD OR SUBSEQUENT OFFENSE UNDER THIS SECTION COMMITTED WITHIN A TEN YEAR PERIOD 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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