

4448

2009-2010 Regular Sessions

I N S E N A T E

April 23, 2009

Introduced by Sen. KRUGER -- 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 sexual abuse of authority

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

1 Section 1. The penal law is amended by adding a new section 130.97 to
2 read as follows:
3 S 130.97 SEXUAL ABUSE OF AUTHORITY.
4 A PERSON IS GUILTY OF SEXUAL ABUSE OF AUTHORITY WHEN HE OR SHE ENGAGES
5 IN SEXUAL CONDUCT WITH ANOTHER WHO IS NOT THE SPOUSE OF THE OFFENDER
6 WHEN THE OFFENDER IS A TEACHER, ADMINISTRATOR, COACH, OR OTHER PERSON IN
7 AUTHORITY EMPLOYED BY OR SERVING IN AN ELEMENTARY OR SECONDARY SCHOOL OF
8 THE STATE, OR COLLEGE OR UNIVERSITY OF THE STATE, AND THE OTHER PERSON
9 IS ENROLLED IN OR ATTENDS SUCH SCHOOL, COLLEGE OR UNIVERSITY, AND THE
10 OFFENDER IS NOT ENROLLED IN AND DOES NOT ATTEND THAT SCHOOL.
11 SEXUAL ABUSE OF AUTHORITY IS A CLASS A MISDEMEANOR.
12 S 2. This act shall take effect on the first of November next succeeding
13 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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