

7894

I N S E N A T E

May 20, 2010

Introduced by Sen. KRUEGER -- 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 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:

1 Section 1. Subdivision 3 of section 130.00 of the penal law, as
2 amended by chapter 650 of the laws of 1984, is amended to read as
3 follows:
4 3. "Sexual contact" means any touching of the sexual or other intimate
5 parts of a person [not married to the actor] for the purpose of gratify-
6 ing sexual desire of either party. It includes the touching of the actor
7 by the victim, as well as the touching of the victim by the actor,
8 whether directly or through clothing.
9 S 2. Subdivision 2 of section 260.31 of the penal law, as added by
10 chapter 381 of the laws of 1998, such section as renumbered by chapter
11 14 of the laws of 2010, is amended to read as follows:
12 2. "Sexual contact" means any touching of the sexual or other intimate
13 parts of a person [not married to the actor] for the purpose of gratify-
14 ing sexual desire of either party. It includes the touching of the actor
15 by the victim, as well as the touching of the victim by the actor,
16 whether directly or through clothing.
17 S 3. This act shall take effect immediately, except that section two
18 of this act shall take effect on the same date and in the same manner as
19 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.

LBD16938-01-0