

10747

I N A S S E M B L Y

June 18, 2012

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Cusick) --
read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to establishing the class E
felony of failure to report child abuse

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 260.40 to
2 read as follows:
3 S 260.40 FAILURE TO REPORT CHILD ABUSE.
4 A PERSON IS GUILTY OF FAILURE TO REPORT CHILD ABUSE WHEN, BEING EIGH-
5 TEEN YEARS OF AGE OR OLDER, HE OR SHE FAILS TO REPORT TO A POLICE OFFI-
6 CER OR LAW ENFORCEMENT AGENCY, AS SOON AS HE OR SHE IS PHYSICALLY ABLE,
7 THE COMMISSION OF ANY CRIME DEFINED IN THIS CHAPTER AGAINST A CHILD
8 UNDER THE AGE OF SIXTEEN YEARS, AND SUCH PERSON WITNESSES THE COMMISSION
9 OF SUCH CRIME AND HAS REASON TO KNOW THAT HE OR SHE IS WITNESSING A
10 CRIME.
11 FAILURE TO REPORT CHILD ABUSE IS A CLASS E FELONY.
12 S 2. This act shall take effect immediately.

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

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