

116--A

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. DIAZ -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- recommitted to the Committee on Judiciary in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, the correction law, the criminal procedure law, the civil rights law, the executive law, the family court act, the mental hygiene law, the multiple dwelling law, the public health law, the real property actions and proceedings law, the real property law and the vehicle and traffic law, in relation to prostitution offenses and creating the crime of sexual exploitation of a child

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

1 Section 1. Section 230.00 of the penal law, as amended by chapter 169  
2 of the laws of 1969, is amended to read as follows:  
3 S 230.00 [Prostitution] CRIMINAL PROSTITUTION.  
4 A person is guilty of CRIMINAL prostitution when, BEING SEVENTEEN  
5 YEARS OLD OR MORE, such person engages or agrees or offers to engage in  
6 sexual conduct with another person in return for a fee.  
7 [Prostitution] CRIMINAL PROSTITUTION is a class B Misdemeanor.  
8 S 2. The penal law is amended by adding a new section 230.01 to read  
9 as follows:  
10 S 230.01 UNLAWFUL PROSTITUTION.  
11 A PERSON IS GUILTY OF UNLAWFUL PROSTITUTION WHEN, BEING LESS THAN  
12 SEVENTEEN YEARS OLD, SUCH PERSON ENGAGES OR AGREES OR OFFERS TO ENGAGE  
13 IN SEXUAL CONDUCT WITH ANOTHER PERSON IN RETURN FOR A FEE.  
14 UNLAWFUL PROSTITUTION IS A VIOLATION, PROVIDED, HOWEVER, THAT ANY  
15 PERSON WHO HAS PREVIOUSLY BEEN CONVICTED OF A CRIME DEFINED IN THIS  
16 ARTICLE OR SECTION 240.37 OF THIS PART SHALL BE GUILTY OF A CLASS B  
17 MISDEMEANOR.

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

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1 S 3. Sections 230.05 and 230.06 of the penal law, as added by chapter  
2 627 of the laws of 1978, are amended to read as follows:

3 S 230.05 Patronizing a prostitute in the second degree.

4 A person is guilty of patronizing a prostitute in the second degree  
5 when, being [over eighteen] TWENTY-ONE years of age OR MORE, he patron-  
6 izes a prostitute and the person patronized is less than [fourteen]  
7 SEVENTEEN years of age.

8 Patronizing a prostitute in the second degree is a class E felony.

9 S 230.06 Patronizing a prostitute in the first degree.

10 A person is guilty of patronizing a prostitute in the first degree  
11 when, BEING EIGHTEEN YEARS OF AGE OR MORE, he patronizes a prostitute  
12 and the person patronized is less than [eleven] FIFTEEN years of age.

13 Patronizing a prostitute in the first degree is a class D felony.

14 S 4. The penal law is amended by adding a new section 230.06-a to read  
15 as follows:

16 S 230.06-A SEXUAL EXPLOITATION OF A CHILD.

17 A PERSON IS GUILTY OF SEXUAL EXPLOITATION OF A CHILD WHEN:

18 1. BEING EIGHTEEN YEARS OF AGE OR MORE HE PATRONIZES A PROSTITUTE AND  
19 THE PERSON PATRONIZED IS LESS THAN THIRTEEN YEARS OF AGE; OR

20 2. HE PATRONIZES A PROSTITUTE AND THE PERSON PATRONIZED IS LESS THAN  
21 ELEVEN YEARS OF AGE.

22 SEXUAL EXPLOITATION OF A CHILD IS A CLASS B FELONY.

23 S 5. Section 230.07 of the penal law, as amended by chapter 74 of the  
24 laws of 2007, is amended to read as follows:

25 S 230.07 Patronizing a prostitute; defense.

26 In any prosecution for patronizing a prostitute in the first or second  
27 degrees OR SEXUAL EXPLOITATION OF A CHILD, it is [a] AN AFFIRMATIVE  
28 defense that the defendant did not have reasonable grounds to believe  
29 that the person was less than the age specified.

30 S 6. The opening paragraph of section 230.10 of the penal law is  
31 amended to read as follows:

32 In any prosecution for SEXUAL EXPLOITATION OF A CHILD, prostitution or  
33 patronizing a prostitute, the sex of the two parties or prospective  
34 parties to the sexual conduct engaged in, contemplated or solicited is  
35 immaterial, and it is no defense that:

36 S 7. The penal law is amended by adding a new section 230.11 to read  
37 as follows:

38 S 230.11 PROSTITUTION; DEFENSE.

39 IN ANY PROSECUTION FOR UNLAWFUL PROSTITUTION OR CRIMINAL PROSTITUTION,  
40 IT IS AN AFFIRMATIVE DEFENSE THAT THE DEFENDANT IS A VICTIM OF SEX TRAF-  
41 FICKING.

42 S 8. Subdivision 2 of section 230.30 of the penal law, as amended by  
43 chapter 627 of the laws of 1978, is amended to read as follows:

44 2. Advances or profits from prostitution of a person less than  
45 [sixteen] SEVENTEEN years old.

46 S 9. Section 230.33 of the penal law, as added by chapter 450 of the  
47 laws of 2005, is amended to read as follows:

48 S 230.33 Compelling prostitution.

49 A person is guilty of compelling prostitution when, being twenty-one  
50 years of age or older, he or she knowingly advances prostitution by  
51 compelling a person less than [sixteen] SEVENTEEN years old, by force or  
52 intimidation, to engage in prostitution.

53 Compelling prostitution is a class B felony.

54 S 10. Subdivision 2 of section 240.37 of the penal law, as added by  
55 chapter 344 of the laws of 1976, is amended to read as follows:

1 2. Any person who remains or wanders about in a public place and  
2 repeatedly beckons to, or repeatedly stops, or repeatedly attempts to  
3 stop, or repeatedly attempts to engage passers-by in conversation, or  
4 repeatedly stops or attempts to stop motor vehicles, or repeatedly  
5 interferes with the free passage of other persons, for the purpose of  
6 prostitution, or of patronizing a prostitute as those terms are defined  
7 in article two hundred thirty of [the penal law] THIS CHAPTER, shall be  
8 guilty of a violation and is guilty of a class B misdemeanor if such  
9 person has previously been convicted of a violation of this section or  
10 of [sections] SECTION 230.00, 230.01 or 230.05 of [the penal law] THIS  
11 PART.

12 S 11. Section 60.13 of the penal law, as added by chapter 7 of the  
13 laws of 2007, is amended to read as follows:

14 S 60.13 Authorized dispositions; felony sex offenses.

15 When a person is to be sentenced upon a conviction for any felony  
16 defined in article one hundred thirty of this chapter, including a sexu-  
17 ally motivated felony, or patronizing a prostitute in the first degree  
18 as defined in section 230.06 of this chapter, SEXUAL EXPLOITATION OF A  
19 CHILD AS DEFINED IN SECTION 230.06-A OF THIS CHAPTER, incest in the  
20 second degree as defined in section 255.26 of this chapter, or incest in  
21 the first degree as defined in section 255.27 of this chapter, or a  
22 felony attempt or conspiracy to commit any of these crimes, the court  
23 must sentence the defendant in accordance with the provisions of section  
24 70.80 of this title.

25 S 12. Paragraph (a) of subdivision 1 of section 70.80 of the penal  
26 law, as added by chapter 7 of the laws of 2007, is amended to read as  
27 follows:

28 (a) For the purposes of this section, a "felony sex offense" means a  
29 conviction of any felony defined in article one hundred thirty of this  
30 chapter, including a sexually motivated felony, or patronizing a prosti-  
31 tute in the first degree as defined in section 230.06 of this chapter,  
32 incest in the second degree as defined in section 255.26 of this chap-  
33 ter, SEXUAL EXPLOITATION OF A CHILD AS DEFINED IN SECTION 230.06-A OF  
34 THIS CHAPTER, or incest in the first degree as defined in section 255.27  
35 of this chapter, or a felony attempt or conspiracy to commit any of the  
36 above.

37 S 13. Subparagraph (i) of paragraph (a) of subdivision 2 of section  
38 168-a of the correction law, as amended by chapter 405 of the laws of  
39 2008, is amended to read as follows:

40 (i) a conviction of or a conviction for an attempt to commit any of  
41 the provisions of sections 120.70, 130.20, 130.25, 130.30, 130.40,  
42 130.45, 130.60, 230.34, 250.50, 255.25, 255.26 and 255.27 or article two  
43 hundred sixty-three of the penal law, or section 135.05, 135.10, 135.20  
44 or 135.25 of such law relating to kidnapping offenses, provided the  
45 victim of such kidnapping or related offense is less than seventeen  
46 years old and the offender is not the parent of the victim, or section  
47 230.04, where the person patronized is in fact less than seventeen years  
48 of age, 230.05 [or], 230.06 OR 230.06-A, or subdivision two of section  
49 230.30, or section 230.32 or 230.33 of the penal law, or

50 S 14. Subdivision 2 of section 60.42 of the criminal procedure law, as  
51 added by chapter 230 of the laws of 1975, is amended to read as follows:

52 2. proves or tends to prove that the victim has been convicted of an  
53 offense under section 230.00 OR 230.01 of the penal law within three  
54 years prior to the sex offense which is the subject of the prosecution;  
55 or

1 S 15. Paragraph (d) of subdivision 1 of section 160.10 of the criminal  
2 procedure law, as amended by chapter 232 of the laws of 2010, is amended  
3 and a new paragraph (e) is added to read as follows:

4 (d) Loitering for the purpose of engaging in a prostitution offense  
5 as defined in subdivision two of section 240.37 of the penal law[.]; OR  
6 (E) UNLAWFUL PROSTITUTION AS DEFINED IN SECTION 230.01 OF THE PENAL  
7 LAW.

8 S 16. Subdivision 6 of section 380.50 of the criminal procedure law,  
9 as amended by chapter 320 of the laws of 2006, is amended to read as  
10 follows:

11 6. Regardless of whether the victim requests to make a statement with  
12 regard to the defendant's sentence, where the defendant is sentenced for  
13 a violent felony offense as defined in section 70.02 of the penal law or  
14 a felony defined in article one hundred twenty-five of such law or any  
15 of the following provisions of such law sections 130.25, 130.30, 130.40,  
16 130.45, 255.25, 255.26, 255.27, article two hundred sixty-three, 135.10,  
17 135.25, 230.05, 230.06, 230.06-A, subdivision two of section 230.30 or  
18 230.32, the prosecutor shall, within sixty days of the imposition of  
19 sentence, provide the victim with a form on which the victim may indi-  
20 cate a demand to be informed of any petition to change the name of such  
21 defendant. Such forms shall be maintained by such prosecutor. Upon  
22 receipt of a notice of a petition to change the name of any such defend-  
23 ant, pursuant to subdivision two of section sixty-two of the civil  
24 rights law, the prosecutor shall promptly notify the victim at the most  
25 current address or telephone number provided by such victim in the most  
26 reasonable and expedient possible manner of the time and place such  
27 petition will be presented to the court.

28 S 17. Subdivision 2 of section 61 of the civil rights law, as amended  
29 by section 54 of subpart B of part C of chapter 62 of the laws of 2011,  
30 is amended to read as follows:

31 2. If the petitioner stands convicted of a violent felony offense as  
32 defined in section 70.02 of the penal law or a felony defined in article  
33 one hundred twenty-five of such law or any of the following provisions  
34 of such law sections 130.25, 130.30, 130.40, 130.45, 255.25, 255.26,  
35 255.27, article two hundred sixty-three, 135.10, 135.25, 230.05, 230.06,  
36 230.06-A, subdivision two of section 230.30 or 230.32, and is currently  
37 confined as an inmate in any correctional facility or currently under  
38 the supervision of the department of corrections and community super-  
39 vision or a county probation department as a result of such conviction,  
40 the petition shall for each such conviction specify such felony  
41 conviction, the date of such conviction or convictions, and the court in  
42 which such conviction or convictions were entered.

43 S 18. Subdivision 2 of section 62 of the civil rights law, as amended  
44 by section 55 of subpart B of part C of chapter 62 of the laws of 2011,  
45 is amended to read as follows:

46 2. If the petition be to change the name of a person currently  
47 confined as an inmate in any correctional facility or currently under  
48 the supervision of the department of corrections and community super-  
49 vision or a county probation department as a result of a conviction for  
50 a violent felony offense as defined in section 70.02 of the penal law or  
51 a felony defined in article one hundred twenty-five of such law or any  
52 of the following provisions of such law sections 130.25, 130.30, 130.40,  
53 130.45, 255.25, 255.26, 255.27, article two hundred sixty-three, 135.10,  
54 135.25, 230.05, 230.06, 230.06-A subdivision two of section 230.30 or  
55 230.32, notice of the time and place when and where the petition will be  
56 presented shall be served, in like manner as a notice of a motion upon

1 an attorney in an action, upon the district attorney of every county in  
2 which such person has been convicted of such felony and upon the court  
3 or courts in which the sentence for such felony was entered. Unless a  
4 shorter period of time is ordered by the court, said notice shall be  
5 served upon each such district attorney and court or courts not less  
6 than sixty days prior to the date on which such petition is noticed to  
7 be heard.

8 S 19. The closing paragraph of section 64 of the civil rights law, as  
9 separately amended by chapters 258, 320 and 481 of the laws of 2006, is  
10 amended to read as follows:

11 Upon compliance with the order and the filing of the affidavit of the  
12 publication, as provided in this section, the clerk of the court in  
13 which the order has been entered shall certify that the order has been  
14 complied with; and, if the petition states that the petitioner stands  
15 convicted of a violent felony offense as defined in section 70.02 of the  
16 penal law or a felony defined in article one hundred twenty-five of such  
17 law or any of the following provisions of such law sections 130.25,  
18 130.30, 130.40, 130.45, 255.25, 255.26, 255.27, article two hundred  
19 sixty-three, 135.10, 135.25, 230.05, 230.06, 230.06-A, subdivision two  
20 of section 230.30 or 230.32, such clerk (1) shall deliver, by first  
21 class mail, a copy of such certified order to the division of criminal  
22 justice services at its office in the county of Albany and (2) upon the  
23 clerk of the court reviewing the petitioner's application for name  
24 change and subsequent in-court inquiry, may, in the clerk's discretion,  
25 deliver, by first class mail, the petitioner's new name with such certi-  
26 fied order to the court of competent jurisdiction which imposed the  
27 orders of support. Such certification shall appear on the original  
28 order and on any certified copy thereof and shall be entered in the  
29 clerk's minutes of the proceeding.

30 S 20. Paragraph (d) of subdivision 7 of section 995 of the executive  
31 law, as amended by chapter 2 of the laws of 2006, is amended to read as  
32 follows:

33 (d) any of the following felonies, or an attempt thereof where such  
34 attempt is a felony offense:

35 aggravated assault upon a person less than eleven years old, as  
36 defined in section 120.12 of the penal law; menacing in the first  
37 degree, as defined in section 120.13 of the penal law; reckless endan-  
38 germent in the first degree, as defined in section 120.25 of the penal  
39 law; stalking in the second degree, as defined in section 120.55 of the  
40 penal law; criminally negligent homicide, as defined in section 125.10  
41 of the penal law; vehicular manslaughter in the second degree, as  
42 defined in section 125.12 of the penal law; vehicular manslaughter in  
43 the first degree, as defined in section 125.13 of the penal law;  
44 persistent sexual abuse, as defined in section 130.53 of the penal law;  
45 aggravated sexual abuse in the fourth degree, as defined in section  
46 130.65-a of the penal law; female genital mutilation, as defined in  
47 section 130.85 of the penal law; facilitating a sex offense with a  
48 controlled substance, as defined in section 130.90 of the penal law;  
49 unlawful imprisonment in the first degree, as defined in section 135.10  
50 of the penal law; custodial interference in the first degree, as defined  
51 in section 135.50 of the penal law; criminal trespass in the first  
52 degree, as defined in section 140.17 of the penal law; criminal tamper-  
53 ing in the first degree, as defined in section 145.20 of the penal law;  
54 tampering with a consumer product in the first degree, as defined in  
55 section 145.45 of the penal law; robbery in the third degree as defined  
56 in section 160.05 of the penal law; identity theft in the second degree,

1 as defined in section 190.79 of the penal law; identity theft in the  
2 first degree, as defined in section 190.80 of the penal law; promoting  
3 prison contraband in the first degree, as defined in section 205.25 of  
4 the penal law; tampering with a witness in the third degree, as defined  
5 in section 215.11 of the penal law; tampering with a witness in the  
6 second degree, as defined in section 215.12 of the penal law; tampering  
7 with a witness in the first degree, as defined in section 215.13 of the  
8 penal law; criminal contempt in the first degree, as defined in subdivi-  
9 sions (b), (c) and (d) of section 215.51 of the penal law; aggravated  
10 criminal contempt, as defined in section 215.52 of the penal law; bail  
11 jumping in the second degree, as defined in section 215.56 of the penal  
12 law; bail jumping in the first degree, as defined in section 215.57 of  
13 the penal law; patronizing a prostitute in the second degree, as defined  
14 in section 230.05 of the penal law; patronizing a prostitute in the  
15 first degree, as defined in section 230.06 of the penal law; SEXUAL  
16 EXPLOITATION OF A CHILD, AS DEFINED IN SECTION 230.06-A OF THE PENAL  
17 LAW; promoting prostitution in the second degree, as defined in section  
18 230.30 of the penal law; promoting prostitution in the first degree, as  
19 defined in section 230.32 of the penal law; compelling prostitution, as  
20 defined in section 230.33 of the penal law; disseminating indecent  
21 [materials] MATERIAL to minors in the second degree, as defined in  
22 section 235.21 of the penal law; disseminating indecent [materials]  
23 MATERIAL to minors in the first degree, as defined in section 235.22 of  
24 the penal law; riot in the first degree, as defined in section 240.06 of  
25 the penal law; criminal anarchy, as defined in section 240.15 of the  
26 penal law; aggravated harassment of an employee by an inmate, as defined  
27 in section 240.32 of the penal law; unlawful surveillance in the second  
28 degree, as defined in section 250.45 of the penal law; unlawful surveil-  
29 lance in the first degree, as defined in section 250.50 of the penal  
30 law; endangering the welfare of a vulnerable elderly person in the  
31 second degree, as defined in section 260.32 of the penal law; endanger-  
32 ing the welfare of a vulnerable elderly person in the first degree, as  
33 defined in section 260.34 of the penal law; use of a child in a sexual  
34 performance, as defined in section 263.05 of the penal law; promoting an  
35 obscene sexual performance by a child, as defined in section 263.10 of  
36 the penal law; possessing an obscene sexual performance by a child, as  
37 defined in section 263.11 of the penal law; promoting a sexual perform-  
38 ance by a child, as defined in section 263.15 of the penal law; possess-  
39 ing a sexual performance by a child, as defined in section 263.16 of the  
40 penal law; criminal possession of a weapon in the third degree, as  
41 defined in section 265.02 of the penal law; criminal sale of a firearm  
42 in the third degree, as defined in section 265.11 of the penal law;  
43 criminal sale of a firearm to a minor, as defined in section 265.16 of  
44 the penal law; unlawful wearing of a body vest, as defined in section  
45 270.20 of the penal law; hate crimes as defined in section 485.05 of the  
46 penal law; and crime of terrorism, as defined in section 490.25 of the  
47 penal law; or

48 S 21. Subdivision 2 of section 344.4 of the family court act, as added  
49 by chapter 761 of the laws of 1987, is amended to read as follows:

50 2. proves or tends to prove that the victim has been convicted of an  
51 offense under section 230.00 OR 230.01 of the penal law within three  
52 years prior to the sex offense which is the subject of the juvenile  
53 delinquency proceeding; or

54 S 22. Subdivision (p) of section 10.03 of the mental hygiene law, as  
55 added by chapter 7 of the laws of 2007, is amended to read as follows:

1 (p) "Sex offense" means an act or acts constituting: (1) any felony  
2 defined in article one hundred thirty of the penal law, including a  
3 sexually motivated felony; (2) patronizing a prostitute in the first  
4 degree as defined in section 230.06 of the penal law, incest in the  
5 second degree as defined in section 255.26 of the penal law, SEXUAL  
6 EXPLOITATION OF A CHILD AS DEFINED IN SECTION 230.06-A OF THE PENAL LAW,  
7 or incest in the first degree as defined in section 255.27 of the penal  
8 law; (3) a felony attempt or conspiracy to commit any of the foregoing  
9 offenses set forth in this subdivision; or (4) a designated felony, as  
10 defined in subdivision (f) of this section, if sexually motivated and  
11 committed prior to the effective date of this article.

12 S 23. Subdivision 2 of section 353 of the multiple dwelling law, as  
13 amended by chapter 680 of the laws of 1967, is amended to read as  
14 follows:

15 2. If there be two or more convictions in such dwelling within a peri-  
16 od of six months, under sections 230.00, 230.01, 230.25, or 230.40 of  
17 the penal law.

18 S 24. Subdivision 1 of section 2302 of the public health law, as  
19 amended by chapter 680 of the laws of 1967, is amended to read as  
20 follows:

21 1. Every person arrested charged with a violation of section 230.00,  
22 230.01 or 230.40 of the penal law, or arrested for failure to comply  
23 with the order of a judge or justice issued pursuant to the provisions  
24 of section two thousand three hundred one of this [chapter] TITLE, or  
25 any person arrested for frequenting disorderly houses or houses of pros-  
26 titution, shall be reported within twenty-four hours by the court or  
27 magistrate before whom such person is arraigned to the health officer of  
28 the health district in which the alleged offense occurred, and shall be  
29 examined in accordance with the provisions of section two thousand three  
30 hundred of this [chapter] TITLE.

31 S 25. Section 2324-a of the public health law, as amended by chapter  
32 260 of the laws of 1978, is amended to read as follows:

33 S 2324-a. Presumptive evidence. For the purposes of this title, two or  
34 more convictions of any person or persons had, within a period of one  
35 year, for any of the offenses described in section 230.00, 230.01,  
36 230.05, 230.20, 230.25 or 230.30 of the penal law arising out of conduct  
37 engaged in at the same real property consisting of a dwelling as that  
38 term is defined in subdivision four of section four of the multiple  
39 dwelling law shall be presumptive evidence of conduct constituting use  
40 of the premises for purposes of prostitution.

41 S 26. Subdivision 2 of section 715 of the real property actions and  
42 proceedings law, as added by chapter 494 of the laws of 1976, is amended  
43 to read as follows:

44 2. For purposes of this section, two or more convictions of any person  
45 or persons had, within a period of one year, for any of the offenses  
46 described in section 230.00, 230.01, 230.05, 230.20, 230.25, 230.30 or  
47 230.40 of the penal law arising out of conduct engaged in at the same  
48 real property consisting of a dwelling as that term is defined in subdi-  
49 vision four of section four of the multiple dwelling law shall be  
50 presumptive evidence of conduct constituting use of the premises for  
51 purposes of prostitution.

52 S 27. Subdivision 3 of section 231 of the real property law, as  
53 amended by chapter 203 of the laws of 1980, is amended to read as  
54 follows:

55 3. For the purposes of this section, two or more convictions of any  
56 person or persons had, within a period of one year, for any of the

1 offenses described in section 230.00, 230.01, 230.05, 230.20, 230.25,  
2 230.30, or 230.40 of the penal law arising out of conduct engaged in at  
3 the same premises consisting of a dwelling as that term is defined in  
4 subdivision four of section four of the multiple dwelling law shall be  
5 presumptive evidence of unlawful use of such premises and of the owners  
6 knowledge of the same.

7 S 28. Paragraph (c) of subdivision 4 of section 509-cc of the vehicle  
8 and traffic law, as amended by chapter 400 of the laws of 2011, is  
9 amended to read as follows:

10 (c) The offenses referred to in subparagraph (i) of paragraph (b) of  
11 subdivision one and subparagraph (i) of paragraph (c) of subdivision two  
12 of this section that result in disqualification for a period of five  
13 years shall include a conviction under sections 100.10, 105.13, 115.05,  
14 120.03, 120.04, 120.04-a, 120.05, 120.10, 120.25, 121.12, 121.13,  
15 125.40, 125.45, 130.20, 130.25, 130.52, 130.55, 135.10, 135.55, 140.17,  
16 140.25, 140.30, 145.12, 150.10, 150.15, 160.05, 160.10, 220.06, 220.09,  
17 220.16, 220.31, 220.34, 220.60, 220.65, 221.30, 221.50, 221.55, 230.00,  
18 230.01, 230.05, 230.06, 230.06-A, 230.20, 235.05, 235.06, 235.07,  
19 235.21, 240.06, 245.00, 260.10, subdivision two of section 260.20 and  
20 sections 260.25, 265.02, 265.03, 265.08, 265.09, 265.10, 265.12, 265.35  
21 of the penal law or an attempt to commit any of the aforesaid offenses  
22 under section 110.00 of the penal law, or any similar offenses committed  
23 under a former section of the penal law, or any offenses committed under  
24 a former section of the penal law which would constitute violations of  
25 the aforesaid sections of the penal law, or any offenses committed  
26 outside this state which would constitute violations of the aforesaid  
27 sections of the penal law.

28 S 29. This act shall take effect on the ninetieth day after it shall  
29 have become a law.