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2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. KLEIN -- 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 prostitution crimes

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

1 Section 1. Section 230.30 of the penal law, as amended by chapter 627
2 of the laws of 1978, is amended to read as follows:
3 S 230.30 Promoting prostitution in the second degree.
4 A person is guilty of promoting prostitution in the second degree when
5 he knowingly:
6 1. Advances prostitution by compelling a person by force or intimid-
7 idation to engage in prostitution, or profits from such coercive conduct
8 by another; [or]
9 2. Advances or profits from prostitution of a person less than sixteen
10 years old[.];
11 3. COMMITTS THE CRIME OF PROMOTING PROSTITUTION IN THE THIRD DEGREE AND
12 THE MANAGING, SUPERVISING, CONTROLLING OR OWNING OF THE PROSTITUTION
13 BUSINESS OR ENTERPRISE INVOLVING PROSTITUTION INVOLVES THE USE OF AN
14 INTERNET WEBSITE; OR
15 4. COMMITTS THE CRIME OF PROMOTING PROSTITUTION IN THE THIRD DEGREE AND
16 HE OR SHE HAS BEEN PREVIOUSLY CONVICTED OF THE CRIME OF PROMOTING PROS-
17 TITUTION IN THE THIRD DEGREE FOUR OR MORE TIMES.
18 Promoting prostitution in the second degree is a class C felony.
19 S 2. Section 230.05 of the penal law, as added by chapter 627 of the
20 laws of 1978, is amended to read as follows:
21 S 230.05 Patronizing a prostitute in the second degree.
22 A person is guilty of patronizing a prostitute in the second degree
23 when, being over eighteen years of age, he [patronizes] OR SHE:
24 1. PATRONIZES a prostitute and the person patronized is less than
25 fourteen years of age; OR

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

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1 2. HE OR SHE COMMITS THE CRIME OF PATRONIZING A PROSTITUTE IN THE
2 FOURTH DEGREE OR PATRONIZING A PROSTITUTE IN THE THIRD DEGREE AND HE OR
3 SHE HAS BEEN PREVIOUSLY CONVICTED OF THE CRIME OF PATRONIZING A PROSTI-
4 TUTE IN THE FOURTH DEGREE OR PATRONIZING A PROSTITUTE IN THE THIRD
5 DEGREE, OR ANY COMBINATION OF SUCH CRIMES, FOUR OR MORE TIMES.

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

7 S 3. This act shall take effect on the first of November next succeed-
8 ing the date on which it shall have become a law.