

2057

2011-2012 Regular Sessions

I N A S S E M B L Y

January 13, 2011

Introduced by M. of A. DenDEKKER -- read once and referred to the
Committee on Codes

AN ACT to amend the penal law, in relation to establishing the offense
of aggravated endangering the welfare of a child

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

1 Section 1. The penal law is amended by adding a new section 260.12 to
2 read as follows:
3 S 260.12 AGGRAVATED ENDANGERING THE WELFARE OF A CHILD.
4 A PERSON IS GUILTY OF AGGRAVATED ENDANGERING THE WELFARE OF A CHILD
5 WHEN HE OR SHE IS A PARENT, GUARDIAN OR OTHER PERSON LEGALLY CHARGED
6 WITH THE CARE OF A CHILD LESS THAN EIGHTEEN YEARS OF AGE WHO KNOWINGLY
7 ACTS IN A MANNER LIKELY TO BE INJURIOUS TO THE PHYSICAL, MENTAL OR MORAL
8 WELFARE OF SUCH CHILD AND:
9 1. SUCH PERSON HAS PREVIOUSLY BEEN CONVICTED OF ANY OFFENSE SET FORTH
10 IN THIS CHAPTER IN WHICH THE VICTIM WAS A CHILD LESS THAN EIGHTEEN YEARS
11 OLD; OR
12 2. THE CONDUCT OF SUCH PERSON INCLUDES ACTS THAT CAUSE THE CHILD
13 EXTREME PAIN OR WHICH ARE CARRIED OUT IN AN ESPECIALLY VICIOUS OR SADIS-
14 TIC MANNER.
15 AGGRAVATED ENDANGERING THE WELFARE OF A CHILD IS A CLASS E FELONY.
16 S 2. This act shall take effect on the first of November next succeed-
17 ing 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.

LBD05068-01-1