S T A T E O F N E W Y O R K

2264--B

2011-2012 Regular Sessions

I N A S S E M B L Y

January 14, 2011

Introduced by M. of A. CRESPO, MENG, RAMOS, CAMARA, ARROYO, BRONSON, REILLY, LINARES, GIBSON, M. MILLER -- Multi-Sponsored by -- M. of A. CERETTO, CONTE, CROUCH, FINCH, GABRYSZAK, KATZ, LOSQUADRO, McLAUGHLIN, MONTESANO -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to establishing the offenses of prostitution in a school zone and promoting prostitution in a school zone

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

Section 1. The penal law is amended by adding a new section 230.03 to read as follows:

S 230.03 PROSTITUTION IN A SCHOOL ZONE.

1. A PERSON IS GUILTY OF PROSTITUTION IN A SCHOOL ZONE WHEN, BEING NINETEEN YEARS OF AGE OR OLDER, AND ACTING DURING THE HOURS THAT SCHOOL IS IN SESSION, HE OR SHE COMMITS THE CRIME OF PROSTITUTION IN VIOLATION OF SECTION 230.00 OF THIS ARTICLE AT A PLACE THAT HE OR SHE KNOWS, OR REASONABLY SHOULD KNOW, IS IN A SCHOOL ZONE, AND HE OR SHE KNOWS, OR REASONABLY SHOULD KNOW, THAT SUCH ACT OF PROSTITUTION IS WITHIN THE DIRECT VIEW OF CHILDREN ATTENDING SUCH SCHOOL.

2. FOR THE PURPOSES OF THIS SECTION AND SECTION 230.19 OF THIS ARTICLE, "SCHOOL ZONE" MEANS (A) IN OR ON OR WITHIN ANY BUILDING, STRUCTURE, ATHLETIC PLAYING FIELD, PLAYGROUND OR LAND CONTAINED WITHIN THE REAL PROPERTY BOUNDARY LINE OF A PUBLIC OR PRIVATE ELEMENTARY, PAROCHIAL, INTERMEDIATE, JUNIOR HIGH, VOCATIONAL, OR HIGH SCHOOL, OR (B) ANY PUBLIC SIDEWALK, STREET, PARKING LOT, PARK, PLAYGROUND OR PRIVATE LAND, LOCATED IMMEDIATELY ADJACENT TO THE BOUNDARY LINE OF SUCH SCHOOL.

PROSTITUTION IN A SCHOOL ZONE IS A CLASS A MISDEMEANOR.

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

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S 2. The penal law is amended by adding a new section 230.19 to read as follows:

S 230.19 PROMOTING PROSTITUTION IN A SCHOOL ZONE.

1. A PERSON IS GUILTY OF PROMOTING PROSTITUTION IN A SCHOOL ZONE WHEN, BEING NINETEEN YEARS OF AGE OR OLDER, HE OR SHE KNOWINGLY ADVANCES OR PROFITS FROM PROSTITUTION THAT HE OR SHE KNOWS OR REASONABLY SHOULD KNOW IS OR WILL BE COMMITTED IN VIOLATION OF SECTION 230.03 OF THIS ARTICLE IN A SCHOOL ZONE DURING THE HOURS THAT SCHOOL IS IN SESSION.

2. FOR PURPOSES OF THIS SECTION, "SCHOOL ZONE" SHALL MEAN "SCHOOL ZONE" AS DEFINED IN SUBDIVISION TWO OF SECTION 230.03 OF THIS ARTICLE.

PROMOTING PROSTITUTION IN A SCHOOL ZONE IS A CLASS E FELONY.

S 3. This act shall take effect on the one hundred twentieth day after it shall have become a law.