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

1313--B

Cal. No. 451

2011-2012 Regular Sessions

I N S E N A T E

January 6, 2011

Introduced by Sens. DIAZ, ADAMS, KRUGER, SAMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- committee discharged and said bill committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the penal law, in relation to establishing the offenses of patronizing a prostitute within one thousand feet of school grounds and promoting prostitution within one thousand feet of school grounds

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.

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

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PROSTITUTION IN A SCHOOL ZONE IS A CLASS A MISDEMEANOR.

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.