

1882

2011-2012 Regular Sessions

I N S E N A T E

January 13, 2011

Introduced by Sens. GRIFFO, LARKIN, MAZIARZ, RANZENHOFER, RITCHIE,
SEWARD, ZELDIN -- 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 sexual abuse of a person
under the age of thirteen

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

1 Section 1. Section 130.65 of the penal law, as amended by chapter 1 of
2 the laws of 2000, is amended to read as follows:
3 S 130.65 Sexual abuse in the first degree.
4 A person is guilty of sexual abuse in the first degree when he or she
5 subjects another person to sexual contact:
6 1. By forcible compulsion; or
7 2. When the other person is incapable of consent by reason of being
8 physically helpless; or
9 3. When the other person is less than eleven years old; OR
10 4. WHEN THE OTHER PERSON IS LESS THAN THIRTEEN YEARS OLD AND THE ACTOR
11 IS TWENTY-ONE YEARS OLD OR OLDER.
12 Sexual abuse in the first degree is a class D felony.
13 S 2. This act shall take effect on the first of November next succeed-
14 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.

LBD01672-01-1