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

4106

2011-2012 Regular Sessions

I N  S E N A T E

March 17, 2011

Introduced by Sen. ADDABBO -- 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 establishing the offense of aggravated endangering the welfare of a child

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 260.12 to read as follows:

S 260.12 AGGRAVATED ENDANGERING THE WELFARE OF A CHILD.

A PERSON IS GUILTY OF AGGRAVATED ENDANGERING THE WELFARE OF A CHILD WHEN HE OR SHE IS A PARENT, GUARDIAN OR OTHER PERSON LEGALLY CHARGED WITH THE CARE OF A CHILD LESS THAN EIGHTEEN YEARS OF AGE WHO KNOWINGLY ACTS IN A MANNER LIKELY TO BE INJURIOUS TO THE PHYSICAL, MENTAL OR MORAL WELFARE OF SUCH CHILD AND:

1. SUCH PERSON HAS PREVIOUSLY BEEN CONVICTED OF ANY OFFENSE SET FORTH IN THIS CHAPTER IN WHICH THE VICTIM WAS A CHILD LESS THAN EIGHTEEN YEARS OLD; OR

2. THE CONDUCT OF SUCH PERSON INCLUDES ACTS THAT CAUSE THE CHILD EXTREME PAIN OR WHICH ARE CARRIED OUT IN AN ESPECIALLY VICIOUS OR SADISTIC MANNER.

AGGRAVATED ENDANGERING THE WELFARE OF A CHILD IS A CLASS E FELONY.

S 2. This act shall take effect on the first of November next succeeding 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.

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