

4649

2011-2012 Regular Sessions

I N   S E N A T E

April 14, 2011

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Introduced by Sen. SALAND -- 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 consecutive sentencing for persons convicted of incest and any other sex offenses against the same child

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

1     Section 1. Section 70.25 of the penal law is amended by adding a new  
2     subdivision 2-h to read as follows:  
3     2-H.     WHENEVER A PERSON IS CONVICTED OF INCEST AS DEFINED IN SECTION  
4     255.25, 255.26 OR 255.27 OF THIS CHAPTER AND ANY OTHER CRIME UNDER ARTI-  
5     CLE ONE HUNDRED THIRTY OF THIS CHAPTER, WHERE THE OFFENSES ARE COMMITTED  
6     AGAINST THE SAME CHILD UNDER THE AGE OF EIGHTEEN AND SUCH CHILD IS UNDER  
7     THE CARE, CUSTODY OR CONTROL OF SUCH PERSON, THE SENTENCES MUST RUN  
8     CONSECUTIVELY.  
9     S 2. This act shall take effect on the ninetieth day next succeeding  
10    the date on which it shall have become a law and shall apply to all  
11    pending criminal actions provided the imposition of sentence has not  
12    occurred prior to such effective date.

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

LBD05326-01-1