

692

2011-2012 Regular Sessions

I N   S E N A T E

(PREFILED)

January 5, 2011

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Introduced by Sens. KLEIN, HUNTLEY -- 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 the crime of display of  
sexual material in a vehicle

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

1     Section 1. The penal law is amended by adding a new section 245.12 to  
2 read as follows:  
3     S 245.12 DISPLAY OF SEXUAL MATERIAL IN A VEHICLE.  
4     1. A PERSON IS GUILTY OF DISPLAY OF SEXUAL MATERIAL IN A VEHICLE WHEN  
5 HE OR SHE IS IN A VEHICLE THAT IS LOCATED IN A PUBLIC PLACE AND A SEXU-  
6 ALLY EXPLICIT VIDEO IS BEING DISPLAYED ON A VIDEO OR TELEVISION SCREEN  
7 LOCATED WITHIN THAT VEHICLE THAT IS CAPABLE OF BEING SEEN BY A PERSON  
8 WHO IS NOT LOCATED WITHIN THE VEHICLE.  
9     2. THE CRIME OF DISPLAY OF SEXUAL MATERIAL IN A VEHICLE SHALL BE  
10 PUNISHABLE BY UP TO TWO THOUSAND HOURS OF COMMUNITY SERVICE.  
11     3. ANY PERSON CONVICTED OF THE CRIME OF DISPLAY OF SEXUAL MATERIAL IN  
12 A VEHICLE SHALL, IN ADDITION TO ANY COMMUNITY SERVICE REQUIRED TO BE  
13 PERFORMED, HAVE ONE POINT ADDED TO HIS OR HER DRIVING RECORD.  
14     DISPLAY OF SEXUAL MATERIAL IN A VEHICLE IS A VIOLATION.  
15     S 2. The commissioner of motor vehicles is authorized and directed to  
16 implement and/or amend any rule or regulation necessary for the timely  
17 implementation of this act on its effective date.  
18     S 3. This act shall take effect on the one hundred twentieth day after  
19 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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