

5129

2013-2014 Regular Sessions

I N   A S S E M B L Y

February 20, 2013

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Introduced by M. of A. MAGEE -- read once and referred to the Committee  
on Codes

AN ACT to amend the penal law, in relation to violation of orders of  
protection

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

1     Section 1. Subdivision (c) of section 215.51 of the penal law, as  
2     amended by chapter 349 of the laws of 2006, is amended to read as  
3     follows:  
4     (c) he or she commits the crime of criminal contempt in the second  
5     degree as defined in subdivision three of section 215.50 of this article  
6     by violating that part of a duly served order of protection, or such  
7     order of which the defendant has actual knowledge because he or she was  
8     present in court when such order was issued, under sections two hundred  
9     forty and two hundred fifty-two of the domestic relations law, articles  
10    four, five, six and eight of the family court act and [section] SECTIONS  
11    530.12 AND 530.13 of the criminal procedure law, or an order of  
12    protection issued by a court of competent jurisdiction in another state,  
13    territorial or tribal jurisdiction, which requires the respondent or  
14    defendant to stay away from the person or persons on whose behalf the  
15    order was issued, and where the defendant has been previously convicted  
16    of the crime of aggravated criminal contempt or criminal contempt in the  
17    first or second degree for violating an order of protection as described  
18    herein within the preceding five years; or  
19    S 2. This act shall take effect immediately.

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

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