

5957

2013-2014 Regular Sessions

I N S E N A T E

October 16, 2013

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the penal law, in relation to public lewdness in the first degree

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

1 Section 1. The penal law is amended by adding a new section 245.03 to
2 read as follows:
3 S 245.03 PUBLIC LEWDNESS IN THE FIRST DEGREE.
4 A PERSON IS GUILTY OF PUBLIC LEWDNESS IN THE FIRST DEGREE WHEN:
5 1. BEING NINETEEN YEARS OF AGE OR OLDER AND INTENDING TO BE OBSERVED
6 BY A PERSON LESS THAN SIXTEEN YEARS OF AGE IN A PLACE DESCRIBED IN
7 SUBDIVISION (A) OR (B) OF SECTION 245.00 OF THIS ARTICLE, HE OR SHE
8 INTENTIONALLY EXPOSES THE PRIVATE OR INTIMATE PARTS OF HIS OR HER BODY
9 IN A LEWD MANNER FOR THE PURPOSE OF ALARMING OR SERIOUSLY ANNOYING SUCH
10 PERSON, AND HE OR SHE IS THEREBY OBSERVED BY SUCH PERSON IN SUCH PLACE;
11 OR
12 2. HE OR SHE COMMITS THE CRIME OF PUBLIC LEWDNESS, AS DEFINED IN
13 SECTION 245.00 OF THIS ARTICLE, AND WITHIN THE PRECEDING YEAR HAS BEEN
14 CONVICTED OF AN OFFENSE DEFINED IN SUCH SECTION 245.00 OR THIS SECTION.
15 PUBLIC LEWDNESS IN THE FIRST DEGREE IS A CLASS A MISDEMEANOR.
16 S 2. This act shall take effect on the first of November next succeeding
17 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.

LBD11877-02-3