

5193

2013-2014 Regular Sessions

I N   A S S E M B L Y

February 21, 2013

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Introduced by M. of A. ORTIZ -- read once and referred 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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