S T A T E O F N E W Y O R K

613

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sens. GIANARIS, AVELLA, DILAN, KENNEDY, KRUEGER, PARKER, STAVISKY -- 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 establishing the offense of forcible touching against a child

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

Section 1. The penal law is amended by adding a new section 130.51 to read as follows:

S 130.51 FORCIBLE TOUCHING AGAINST A CHILD.

A PERSON IS GUILTY OF FORCIBLE TOUCHING AGAINST A CHILD WHEN SUCH PERSON INTENTIONALLY AND FOR NO LEGITIMATE PURPOSE, FORCIBLY TOUCHES:

1. THE SEXUAL OR OTHER INTIMATE PARTS OF A CHILD FOR THE PURPOSE OF DEGRADING OR ABUSING SUCH CHILD; OR FOR THE PURPOSE OF GRATIFYING THE ACTOR'S SEXUAL DESIRE, AND THE VICTIM IS LESS THAN THIRTEEN YEARS OLD; OR

2. ANY PART OF A CHILD FOR THE PURPOSE OF GRATIFYING THE ACTOR'S SEXUAL DESIRE, AND THE VICTIM IS LESS THAN THIRTEEN YEARS OLD.

FOR THE PURPOSES OF THIS SECTION, FORCIBLE TOUCHING INCLUDES, BUT IS NOT LIMITED TO SQUEEZING, GRABBING OR PINCHING.

FORCIBLE TOUCHING AGAINST A CHILD IS A CLASS E FELONY.

S 2. This act shall take effect on the first of November next succeeding 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.

LBD01843-01-3