

699

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 7, 2015

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Introduced by M. of A. GUNTHER, ZEBROWSKI, HOOPER, OTIS, MONTESANO,  
SALADINO -- Multi-Sponsored by -- M. of A. CROUCH, McDONOUGH, RIVERA  
-- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to including individuals with  
a mental defect as a victim under sexual abuse in the first degree

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

1     Section 1. Subdivision 4 of section 130.65 of the penal law, as  
2     amended by chapter 26 of the laws of 2011, is amended and a new subdivi-  
3     sion 5 is added to read as follows:

4     4. When the other person is less than thirteen years old and the actor  
5     is twenty-one years old or older[.]; OR

6     5. WHEN THE OTHER PERSON HAS A MENTAL DISEASE OR DEFECT.

7     S 2. This act shall take effect on the first of November next succeed-  
8     ing 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.

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