

3243--A

Cal. No. 217

2015-2016 Regular Sessions

I N   S E N A T E

February 3, 2015

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Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Senate Rule 6, sec. 8 -- committee discharged and said bill committed to the Committee on Rules -- ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the penal law, in relation to sexual abuse in the first degree where a person is incapable of consent while a passenger on public transportation; in relation to public lewdness while a passenger on public transportation

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

1     Section 1. Section 130.65 of the penal law is amended by adding a new  
2     subdivision 2-a to read as follows:  
3     2-A. INTENTIONALLY, AND WITH THE SOLE PURPOSE OF SEXUAL GRATIFICATION,  
4     AND WITHOUT THE CONSENT OF THE OTHER PERSON WHILE A PASSENGER ON PUBLIC  
5     TRANSPORTATION; OR  
6     S 2. Subdivision 2 of section 245.03 of the penal law, as added by  
7     chapter 186 of the laws of 2014, is amended and a new subdivision 3 is  
8     added to read as follows:  
9     2. he or she commits the crime of public lewdness, as defined in  
10    section 245.00 of this article, and within the preceding year has been  
11    convicted of an offense defined in such section 245.00 or this  
12    section[.]; OR  
13    3. HE OR SHE COMMITS THE CRIME OF PUBLIC LEWDNESS, AS DEFINED IN  
14    SECTION 245.00 OF THIS ARTICLE, WHILE A PASSENGER ON PUBLIC TRANSPORTA-  
15    TION.  
16    S 3. This act shall take effect on the sixtieth day after it shall  
17    have become a law.

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

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