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

4708

2015-2016 Regular Sessions

I N S E N A T E

April 10, 2015

Introduced by Sen. AVELLA -- 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 affirmative defenses to strangulation and related offenses

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

Section 1. Section 121.14 of the penal law, as added by chapter 405 of the laws of 2010, is amended to read as follows:

S 121.14 [Medical or dental purpose] AFFIRMATIVE DEFENSES.

For purposes of sections 121.11, 121.12 and 121.13 of this article, it shall be an affirmative defense that:

1. the defendant performed such conduct for a valid medical or dental purpose; OR

2. THE DEFENDANT PERFORMED SUCH CONDUCT WHILE ENGAGED IN INSTRUCTION OR ATHLETIC COMPETITION OF JUDO, JIU JITSU, BRAZILIAN JIU JITSU OR AIKIDO.

S 2. This act shall take effect immediately.

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

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