STATE OF NEW YORK

3111

2017-2018 Regular Sessions

IN ASSEMBLY

January 26, 2017

Introduced by M. of A. LENTOL -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to forcible touching

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 130.52 of the penal law, as amended by chapter 264 of the laws of 2003, the opening paragraph and subdivision 1 as amended and subdivision 2 as added by chapter 250 of the laws of 2015, is amended to read as follows:

§ 130.52 Forcible touching.

A person is guilty of forcible touching when such person intentionally, and for no legitimate purpose:

1. forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person, or for the purpose of gratifying the actor's sexual desire; [~~or~~]

2. subjects another person to sexual contact for the purpose of gratifying the actor's sexual desire and with intent to degrade or abuse such other person while such other person is a passenger on a bus, train, or subway car operated by any transit agency, authority or company, public or private, whose operation is authorized by New York state or any of its political subdivisions[~~.~~]**; or**

3. touches the sexual or other intimate parts of another person, or subjects another person to sexual contact, for any such purpose, and the actor intentionally selected for such act or acts a location that made it difficult or impossible for the victim to avoid such touching or sexual contact.

For the purposes of this section, forcible touching includes squeezing, grabbing or pinching.

Forcible touching is a class A misdemeanor.

§ 2. This act shall take effect on the sixtieth day after 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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