

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:

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

5 § 130.52 Forcible touching.

6 A person is guilty of forcible touching when such person inten-
7 tionally, and for no legitimate purpose:

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

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

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

22 For the purposes of this section, forcible touching includes squeez-
23 ing, grabbing or pinching.

24 Forcible touching is a class A misdemeanor.

25 § 2. This act shall take effect on the sixtieth day after it shall
26 have become a law.

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

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