

# STATE OF NEW YORK

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4987

2017-2018 Regular Sessions

## IN ASSEMBLY

February 6, 2017

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

AN ACT to amend the penal law, in relation to loitering for the purpose of engaging in prostitution by persons under the age of sixteen

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

1 Section 1. Subdivisions 2 and 3 of section 240.37 of the penal law,  
2 subdivision 2 as amended and subdivision 3 as added by chapter 368 of  
3 the laws of 2015, are amended and a new subdivision 5 is added to read  
4 as follows:

5 2. ~~Any~~ Except as provided in subdivision five of this section, any  
6 person who remains or wanders about in a public place and repeatedly  
7 beckons to, or repeatedly stops, or repeatedly attempts to stop, or  
8 repeatedly attempts to engage passers-by in conversation, or repeatedly  
9 stops or attempts to stop motor vehicles, or repeatedly interferes with  
10 the free passage of other persons, for the purpose of prostitution as  
11 that term is defined in article two hundred thirty of this part, shall  
12 be guilty of a violation and is guilty of a class B misdemeanor if such  
13 person has previously been convicted of a violation of this section or  
14 of section 230.00 of this part.

15 3. Any person who remains or wanders about in a public place and  
16 repeatedly beckons to, or repeatedly stops, or repeatedly attempts to  
17 stop, passers-by, or repeatedly attempts to engage passers-by in conver-  
18 sation, or repeatedly stops or attempts to stop motor vehicles, or  
19 repeatedly interferes with the free passage of other persons, for the  
20 purpose of patronizing a person for prostitution as defined in section  
21 230.02 of this part, shall be guilty of a violation and is guilty of a  
22 class B misdemeanor if such person has previously been convicted of a  
23 violation of this section or of section 230.04, 230.05, 230.06 or 230.08  
24 of this part.

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

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1     5. Any person under the age of sixteen who remains or wanders about in  
2     a public place and repeatedly beckons to, or repeatedly stops, or  
3     repeatedly attempts to stop, passers-by, or repeatedly attempts to  
4     engage passers-by in conversation, or repeatedly stops or attempts to  
5     stop motor vehicles, or repeatedly interferes with the free passage of  
6     other persons, for the purpose of prostitution as defined in article two  
7     hundred thirty of this part, shall be adjudged a juvenile delinquent.

8     § 2. This act shall take effect on the ninetieth day after it shall  
9     have become a law.