

STATE OF NEW YORK

5412

2017-2018 Regular Sessions

IN ASSEMBLY

February 8, 2017

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

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 § 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 § 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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