

STATE OF NEW YORK

6297

2017-2018 Regular Sessions

IN ASSEMBLY

March 2, 2017

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

AN ACT to amend the penal law, in relation to establishing the crime of allurement of a minor through electronic means

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

1 Section 1. The penal law is amended by adding two new sections 263.17
2 and 263.18 to read as follows:

3 § 263.17 Allurement of a minor through electronic means in the second
4 degree.

5 Any individual who knowingly engages in sexual communication for the
6 purpose, in whole or substantial part, of his or her own sexual gratifi-
7 cation, including text messages or pictures, with an individual whom he
8 or she knows to be a minor, through any electronic means shall be guilty
9 of the crime of allurement of a minor through electronic means. The
10 crime of allurement of a minor through electronic means shall not apply
11 to communications sent from one minor to another, to communications sent
12 by a person age twenty-one or under to a person age seventeen or older,
13 nor to communications from a person age eighteen to a person age fifteen
14 or over.

15 Allurement of a minor through electronic means in the second degree is
16 a class A misdemeanor.

17 § 263.18 Allurement of a minor through electronic means in the first
18 degree.

19 A person is guilty of allurement of a minor through electronic means
20 in the first degree when he or she commits the crime of allurement of a
21 minor through electronic means in the second degree, and has previously
22 been convicted of such crime within the preceding ten years.

23 Allurement of a minor through electronic means in the first degree is
24 a class E felony.

25 § 2. This act shall take effect on the ninetieth 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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