

# STATE OF NEW YORK

6532

2017-2018 Regular Sessions

## IN ASSEMBLY

March 9, 2017

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

AN ACT to amend the penal law and the criminal procedure law, in relation to promoting sexual performances by a child

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

1 Section 1. The closing paragraph of section 263.10 of the penal law,  
2 as amended by chapter 1 of the laws of 2000, is amended to read as  
3 follows:

4 Promoting an obscene sexual performance by a child is a class [~~D~~] B  
5 felony.

6 § 2. The closing paragraph of section 263.15 of the penal law, as  
7 amended by chapter 1 of the laws of 2000, is amended to read as follows:

8 Promoting a sexual performance by a child is a class [~~D~~] B felony.

9 § 3. Subdivision 5 of section 220.10 of the criminal procedure law is  
10 amended by adding a new paragraph (i) to read as follows:

11 (i) Where the indictment charges the class B felony offense of promot-  
12 ing an obscene sexual performance by a child as defined in section  
13 263.10 of the penal law or promoting a sexual performance by a child as  
14 defined in section 263.15 of the penal law, then a plea of guilty must  
15 include at least a plea to such offense.

16 § 4. This act shall take effect on the first of November next succeed-  
17 ing the date on which it shall have become a law.

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

LBD02425-01-7