

# STATE OF NEW YORK

8751

2017-2018 Regular Sessions

## IN ASSEMBLY

October 25, 2017

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

AN ACT to amend the penal law, in relation to modifying the offense of forcible touching by removing the element of the actor's intent

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 unwanted sexual contact [~~for the purpose~~  
12 ~~of gratifying the actor's sexual desire and with intent to degrade or~~  
13 ~~abuse such other person~~] while such other person is a passenger on a  
14 bus, train, or subway car operated by any transit agency, authority or  
15 company, public or private, whose operation is authorized by New York  
16 state or any of its political subdivisions.  
17 For the purposes of this section, forcible touching includes but is  
18 not limited to squeezing, grabbing, rubbing or pinching.  
19 Forcible touching is a class A misdemeanor.  
20 § 2. This act shall take effect on the one hundred eightieth day after  
21 it shall have become a law.

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

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