STATE OF NEW YORK

3218

2017-2018 Regular Sessions

IN ASSEMBLY

January 27, 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 endangering the welfare of a child by exposing them to controlled substances

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

Section 1. The penal law is amended by adding a new section 260.35 to read as follows:

§ 260.35 Endangering the welfare of a child by exposure to controlled substances.

A parent, legal guardian or caregiver who endangers a child's person or health by knowingly causing or permitting a child less than seventeen years old to be present where any person is selling, manufacturing, possessing the immediate precursors or chemical substances with the intent to manufacture or possess a controlled substance, as defined in this chapter, is guilty of child endangerment and may be sentenced to imprisonment for not more than one year or payment of a fine of not more than three thousand dollars, or both such fine and imprisonment. If the endangerment results in substantial harm to a child's physical, mental or emotional health, the person is guilty of a felony and may be sentenced to imprisonment for not more than five years or payment of a fine of not more than ten thousand dollars, or both such fine and imprisonment.

§ 2. This act shall take effect on the ninetieth day after 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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