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 subdivision 2-a to read as follows:

2-a. Intentionally, and with the sole purpose of sexual gratification, and without the consent of the other person while a passenger on public transportation; or

2. Subdivision 2 of section 245.03 of the penal law, as added by chapter 186 of the laws of 2014, is amended and a new subdivision 3 is added to read as follows:

3. He or she commits the crime of public lewdness, as defined in section 245.00 of this article, while a passenger on public transportation.

3. This act shall take effect on the sixtieth day after it shall have become a law.

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