

STATE OF NEW YORK

5255

2019-2020 Regular Sessions

IN ASSEMBLY

February 8, 2019

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

AN ACT to amend the penal law, in relation to establishing enhanced penalties for threatening to expose a witness or a domestic violence victim's immigration status

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 a new section 70.11 to
2 read as follows:

3 § 70.11 Sentences of imprisonment for domestic violence; aggravating
4 factors.

5 In matters divested to a criminal court under section eight hundred
6 twelve of the family court act, or where such court exercises concurrent
7 jurisdiction under such section and in matters referred to a criminal
8 court under article six-A of the social services law, where the respond-
9 ent threatens to expose a witness or a victim's immigration status in
10 order to coerce such victim or witness or conceal such offense, shall
11 result in the following enhancement of such sentence:

12 (a) For offenses committed under section 120.00 of this chapter, the
13 sentence shall reflect a class E felony;

14 (b) For offenses committed under section 120.05 of this chapter, the
15 sentence shall reflect a class C felony;

16 (c) For offenses committed under section 120.10 of this chapter, the
17 sentence shall reflect a class A felony;

18 (d) For offenses committed under section 120.13 of this chapter, the
19 sentence shall reflect a class D felony;

20 (e) For offenses committed under section 120.14 of this chapter, the
21 sentence shall reflect a class E felony;

22 (f) For offenses committed under section 120.15 of this chapter, the
23 sentence shall reflect a class A misdemeanor;

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

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1 (g) For offenses committed under section 120.20 of this chapter, the
2 sentence shall reflect a class E felony;

3 (h) For offenses committed under section 120.25 of this chapter, the
4 sentence shall reflect a class C felony;

5 (i) For offenses committed under section 120.45 of this chapter, the
6 sentence shall reflect a class A misdemeanor;

7 (j) For offenses committed under section 120.50 of this chapter, the
8 sentence shall reflect a class E felony;

9 (k) For offenses committed under section 120.55 of this chapter, the
10 sentence shall reflect a class D felony;

11 (l) For offenses committed under section 120.60 of this chapter, the
12 sentence shall reflect a class C felony;

13 (m) For offenses committed under section 121.11 of this chapter, the
14 sentence shall reflect a class E felony;

15 (n) For offenses committed under section 121.12 of this chapter, the
16 sentence shall reflect a class C felony;

17 (o) For offenses committed under section 121.13 of this chapter, the
18 sentence shall reflect a class B felony;

19 (p) For offenses committed under section 130.25 of this chapter, the
20 sentence shall reflect a class D felony;

21 (q) For offenses committed under section 130.30 of this chapter, the
22 sentence shall reflect a class C felony;

23 (r) For offenses committed under section 130.35 of this chapter, the
24 sentence shall reflect a class A felony;

25 (s) For offenses committed under section 130.40 of this chapter, the
26 sentence shall reflect a class D felony;

27 (t) For offenses committed under section 130.45 of this chapter, the
28 sentence shall reflect a class C felony;

29 (u) For offenses committed under section 130.50 of this chapter, the
30 sentence shall reflect a class A felony;

31 (v) For offenses committed under section 130.55 of this chapter, the
32 sentence shall reflect a class A misdemeanor;

33 (w) For offenses committed under section 130.60 of this chapter, the
34 sentence shall reflect a class E felony;

35 (x) For offenses committed under section 130.65 of this chapter, the
36 sentence shall reflect a class C felony;

37 (y) For offenses committed under section 130.65-a of this chapter, the
38 sentence shall reflect a class D felony;

39 (z) For offenses committed under section 130.66 of this chapter, the
40 sentence shall reflect a class C felony;

41 (aa) For offenses committed under section 130.67 of this chapter, the
42 sentence shall reflect a class B felony;

43 (bb) For offenses committed under section 130.70 of this chapter, the
44 sentence shall reflect a class A felony;

45 (cc) For offenses committed under section 135.05 of this chapter, the
46 sentence shall reflect a class E felony;

47 (dd) For offenses committed under section 135.10 of this chapter, the
48 sentence shall reflect a class D felony;

49 (ee) For offenses committed under section 135.20 of this chapter, the
50 sentence shall reflect a class A felony;

51 (ff) For offenses committed under section 135.45 of this chapter, the
52 sentence shall reflect a class E felony;

53 (gg) For offenses committed under section 135.50 of this chapter, the
54 sentence shall reflect a class D felony.

55 § 2. This act shall take effect immediately.