STATE OF NEW YORK

5306

2019-2020 Regular Sessions

IN SENATE

April 24, 2019

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to establishing the crime of coercive control

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 135.80 to read as follows:

§ 135.80 Coercive control.

A person is guilty of coercive control when he or she engages in a course of conduct against a member of his or her same family or household, as defined in section 530.11 of the criminal procedure law, without the victim's consent, which results in limiting or restricting, in full or in part, the victim's behavior, movement, associations or access to or use of his or her own finances or financial information. For the purposes of this section, lack of consent results from forcible compulsion, as defined in subdivision eight of section 130.00 of this title, or from fear that refusal to consent will result in further actions limiting or restricting the victim's behavior, movement, associations or access to or use of his or her own finances or financial information. This section shall not apply to actions taken pursuant to a legal arrangement granting one person power or authority over another person, including, but not limited to, power of attorney arrangements as defined in paragraph (j) of subdivision two of section 5-1501 of the general obligations law, guardians of the property or person as defined in subdivisions (c) and (d) of section 83.03 of the mental hygiene law, or parental control of a minor child.

Coercive control is a class E felony.

§ 2. This act shall take effect immediately.

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

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