

# STATE OF NEW YORK

9447

## IN SENATE

May 27, 2022

Introduced by Sen. SKOUFIS -- 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 sexual conduct against a child in the third degree

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

- 1 Section 1. Subdivision 1 of section 130.66 of the penal law, as  
2 amended by chapter 485 of the laws of 2009, is amended to read as  
3 follows:  
4 1. A person is guilty of aggravated sexual abuse in the third degree  
5 when he or she inserts a foreign object or a finger in the vagina,  
6 urethra, penis, rectum or anus of another person:  
7 (a) By forcible compulsion; or  
8 (b) When the other person is incapable of consent by reason of being  
9 physically helpless; ~~[or]~~  
10 (c) When the other person is less than eleven years old~~[-]~~; or  
11 (d) When the other person is less than thirteen years old and the  
12 actor is eighteen years of age or older.  
13 § 2. This act shall take effect on the thirtieth day after it shall  
14 have become a law.

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

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