STATE OF NEW YORK

10066

IN ASSEMBLY

May 2, 2024

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

AN ACT to amend the penal law, in relation to designating crimes of manslaughter that result in the death of a child class A-1 felonies

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

Section 1. Subdivision 4 and the closing paragraph of section 125.20 of the penal law, subdivision 4 as added by chapter 477 of the laws of 1990, are amended to read as follows:

4. [~~Being eighteen years old or more and with intent to cause physical injury to a person less than eleven years old, the defendant recklessly engages in conduct which creates a grave risk of serious physical injury to such person and thereby causes the death of such person~~] **Recklessly or with the intent to cause physical injury, the defendant causes the death of a person less than eighteen years old**.

Manslaughter in the first degree is a class B felony **provided, however, that if the defendant causes the death of a child pursuant to subdivision four of this section this crime shall be a class A-1 felony**.

§ 2. 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.

LBD15303-01-4