

STATE OF NEW YORK

1134

2023-2024 Regular Sessions

IN ASSEMBLY

January 13, 2023

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:

Section 1. The penal law is amended by adding a new section 70.11 to read as follows:

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

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

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

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

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

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

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

(f) For offenses committed under section 120.15 of this chapter, the 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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(g) For offenses committed under section 120.20 of this chapter, the sentence shall reflect a class E felony;
(h) For offenses committed under section 120.25 of this chapter, the sentence shall reflect a class C felony;
(i) For offenses committed under section 120.45 of this chapter, the sentence shall reflect a class A misdemeanor;
(j) For offenses committed under section 120.50 of this chapter, the sentence shall reflect a class E felony;
(k) For offenses committed under section 120.55 of this chapter, the sentence shall reflect a class D felony;
(l) For offenses committed under section 120.60 of this chapter, the sentence shall reflect a class C felony;
(m) For offenses committed under section 121.11 of this chapter, the sentence shall reflect a class E felony;
(n) For offenses committed under section 121.12 of this chapter, the sentence shall reflect a class C felony;
(o) For offenses committed under section 121.13 of this chapter, the sentence shall reflect a class B felony;
(p) For offenses committed under section 130.25 of this chapter, the sentence shall reflect a class D felony;
(q) For offenses committed under section 130.30 of this chapter, the sentence shall reflect a class C felony;
(r) For offenses committed under section 130.35 of this chapter, the sentence shall reflect a class A felony;
(s) For offenses committed under section 130.40 of this chapter, the sentence shall reflect a class D felony;
(t) For offenses committed under section 130.45 of this chapter, the sentence shall reflect a class C felony;
(u) For offenses committed under section 130.50 of this chapter, the sentence shall reflect a class A felony;
(v) For offenses committed under section 130.55 of this chapter, the sentence shall reflect a class A misdemeanor;
(w) For offenses committed under section 130.60 of this chapter, the sentence shall reflect a class E felony;
(x) For offenses committed under section 130.65 of this chapter, the sentence shall reflect a class C felony;
(y) For offenses committed under section 130.65-a of this chapter, the sentence shall reflect a class D felony;
(z) For offenses committed under section 130.66 of this chapter, the sentence shall reflect a class C felony;
(aa) For offenses committed under section 130.67 of this chapter, the sentence shall reflect a class B felony;
(bb) For offenses committed under section 130.70 of this chapter, the sentence shall reflect a class A felony;
(cc) For offenses committed under section 135.05 of this chapter, the sentence shall reflect a class E felony;
(dd) For offenses committed under section 135.10 of this chapter, the sentence shall reflect a class D felony;
(ee) For offenses committed under section 135.20 of this chapter, the sentence shall reflect a class A felony;
(ff) For offenses committed under section 135.45 of this chapter, the sentence shall reflect a class E felony;
(gg) For offenses committed under section 135.50 of this chapter, the sentence shall reflect a class D felony.

§ 2. This act shall take effect immediately.