STATE OF NEW YORK

1966

2023-2024 Regular Sessions

IN SENATE

January 17, 2023

Introduced by Sen. SEPULVEDA -- 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 individuals engaged in prostitution who are victims of or witnesses to a crime

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 230.45 to read as follows:

§ 230.45 Immunity from prosecution.

This section applies where a person is the victim of or a witness to a crime (including an individual who becomes aware that another person is a victim of a crime), and has engaged or is alleged to have engaged in an act prohibited under section 230.00, 230.03, or 230.40 of this chapter at or in reasonable proximity to the time of the crime or under circumstances reasonably related to the crime, and, in good faith, (a) reports the crime to a criminal law enforcement agency, (b) seeks or receives health care services as a result of the crime, or (c) assists or attempts to assist in the investigation or prosecution of the crime. No such victim or witness to the crime shall be charged or prosecuted for the offense under section 230.00, 230.03, or 230.40 of this chapter. As used in this section, "crime" shall include an act that reasonably appears to be a crime, regardless of whether it results in a conviction as a crime.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law, and shall apply to any prosecution pending on or after the time it shall take effect.

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

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