

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:

1 Section 1. Subdivision 4 and the closing paragraph of section 125.20
2 of the penal law, subdivision 4 as added by chapter 477 of the laws of
3 1990, are amended to read as follows:

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

10 Manslaughter in the first degree is a class B felony provided, howev-
11 er, that if the defendant causes the death of a child pursuant to subdi-
12 vision four of this section this crime shall be a class A-1 felony.

13 § 2. This act shall take effect on the sixtieth 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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