

# STATE OF NEW YORK

3573

2025-2026 Regular Sessions

## IN ASSEMBLY

January 28, 2025

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 Assem-  
bly, 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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