STATE OF NEW YORK

8815

2025-2026 Regular Sessions

IN ASSEMBLY

June 9, 2025

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

AN ACT to amend the penal law, in relation to increasing penalties for indecent exposure and public sexual activities occurring within public and association libraries

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

Section 1. Section 245.00 of the penal law, as amended by chapter 748 of the laws of 1968 and the opening paragraph as amended by chapter 373 of the laws of 2015, is amended to read as follows:

§ 245.00 Public lewdness.

A person is guilty of public lewdness when [~~he or she~~] **such person** intentionally exposes the private or intimate parts of [~~his or her~~] **such person's** body in a lewd manner or commits any other lewd act:

(a) in a public place, or

(b) (i) in private premises under circumstances in which [~~he or she~~] **such person** may readily be observed from either a public place or from other private premises, and with intent that [~~he or she~~] **such person** be so observed, or (ii) while trespassing, as defined in section 140.05 of this part, in a dwelling as defined in subdivision three of section 140.00 of this part, under circumstances in which [~~he or she~~] **such person** is observed by a lawful occupant**, or**

(c) in the presence of a minor under the age of seventeen.

Public lewdness is a class B misdemeanor.

§ 2. Section 245.03 of the penal law, as added by chapter 186 of the laws of 2014, is amended to read as follows:

§ 245.03 Public lewdness in the first degree.

A person is guilty of public lewdness in the first degree when:

1. being [~~nineteen~~] **eighteen** years of age or older and intending to be observed by a person less than sixteen years of age in a place described in subdivision (a) or (b) of section 245.00 of this article, [~~he or she~~]

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

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such person intentionally exposes the private or intimate parts of [~~his or her~~] such person's body in a lewd manner for the purpose of alarming or seriously annoying such person less than sixteen years of age, and [~~he or she~~] such person is thereby observed by such person less than sixteen years of age in such place; or

2. [~~he or she~~] such person commits the crime of public lewdness, as defined in section 245.00 of this article, and within the preceding year has been convicted of an offense defined in such section 245.00 or this section[~~.~~]; or

3. such person commits the crime of public lewdness, as defined in section 245.00 of this article, within a public or association library, as defined in section two hundred fifty-three of the education law.

Public lewdness in the first degree is a class A misdemeanor.

§ 3. The penal law is amended by adding a new section 245.20 to read as follows:

§ 245.20 Aggravated public lewdness.

A person is guilty of aggravated public lewdness when:

1. such person commits public lewdness or public lewdness in the first degree within a public or association library and has been previously convicted of such an offense within the past ten years; or

2. such person engages in a sexual act, as defined in section 130.00 of this chapter, within a public or association library.

Aggravated public lewdness is a class E felony.

§ 4. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.