STATE OF NEW YORK

1029--A

2025-2026 Regular Sessions

IN ASSEMBLY

January 8, 2025

Introduced by M. of A. KELLES, SEAWRIGHT, SAYEGH, SIMON, STECK, PAULIN, GALLAGHER, VANEL, OTIS, GONZALEZ-ROJAS, EPSTEIN, CRUZ, GLICK, LEVENBERG, BURDICK, SHIMSKY, LAVINE, LEMONDES, McDONOUGH, SHRESTHA, MAMDANI, REYES, HUNTER, BICHOTTE HERMELYN, FORREST, STERN, DINOWITZ, R. CARROLL, GIBBS, SIMONE, DAIS, CUNNINGHAM, WALKER, DeSTEFANO, WEPRIN, ANDERSON, TAPIA, TAYLOR, MEEKS, HEVESI, ROMERO, BORES, ROSENTHAL, KASSAY, KIM -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 article 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 an offense under section 230.00, 230.03, or 230.40 of this article which is alleged to have been committed at or in reasonable proximity to the time of the crime or under circumstances reasonably related to the crime for which the person is a victim or witness. As used in this

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

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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.