

STATE OF NEW YORK

8334

2023-2024 Regular Sessions

IN ASSEMBLY

December 13, 2023

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

AN ACT to amend the penal law, in relation to establishing the crime of disruption or disturbance of a lawful assembly

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

1 Section 1. This act shall be known and may be cited as the "dialogue
2 and decorum act".

3 § 2. The penal law is amended by adding a new section 240.22 to read
4 as follows:

5 § 240.22 Disruption or disturbance of a lawful assembly.

6 1. A person is guilty of disruption or disturbance of a lawful assem-
7 bly when he or she, without authority of law, willfully disturbs or
8 breaks up any assembly or meeting that is not unlawful in its character.

9 2. For purposes of this section, the following terms shall have the
10 following meanings:

11 (a) "Willfully disturbs" shall mean:

12 (i) the conduct substantially impairs the ability to conduct a lawful
13 meeting or assembly;

14 (ii) the conduct disrupting the meeting or assembly is intended to
15 cause a disruption; and

16 (iii) the conduct is in violation of the implicit customs or usage of
17 the specific kind of meeting or assembly, or the explicit rules govern-
18 ing the meeting or assembly, where the disrupting party knew or reason-
19 ably should have known such conduct was in violation.

20 (b) "Lawful assembly" shall mean a group of two or more individuals
21 who legally reserve a space or area with an institution or a munici-
22 pality by paying a fee or filing an application, and who use such space
23 or area to peacefully assemble for any purpose not expressly prohibited
24 by law.

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

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1 3. Disregard of a moderator's call to order or a determination that a
2 person is in violation of the rules of an assembly or meeting shall be
3 proof of an impermissible intent to disrupt.

4 Disruption or disturbance of a lawful assembly is a class A misdemea-
5 nor.

6 § 3. This act shall take effect immediately.