STATE OF NEW YORK

3982

2025-2026 Regular Sessions

IN ASSEMBLY

January 30, 2025

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

AN ACT to amend the penal law and the education law, in relation to the mandatory reporting of school safety threats

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 240.64 to read as follows:

§ 240.64 Failure to report a school safety threat.

A person is guilty of failure to report a school safety threat when such person who becomes aware of a threat against a school, student, or educational institution through social media or any other written, verbal, or electronic communication platform fails to immediately report such threat to local law enforcement authorities; provided, however, that the provisions of this section shall not apply to individuals who are under the age of thirteen or whose judgment is otherwise impaired. Reports of school safety threats may be made via telephone, email, or in person. For the purposes of this section, the following terms shall have the following meanings:

1. "School safety threat" means actions, statements, including written, verbal, or electronic communication, or a pattern of behavior by a student that indicates an intent to physically harm another student, anyone employed in the school, any member of the general public, or themself, including but not limited to any written, verbal, or electronic communication that suggests intent to harm students, staff, school property, or disrupt the educational environment.

2. "Social media" shall mean any internet-based platform that allows users to create, share, or exchange information, ideas, and media, including but not limited to Facebook, X, Instagram, TikTok, and Snapchat.

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

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3. "Law enforcement authorities" shall mean local police departments, school resource officers, or any other law enforcement agency with jurisdictional authority over a school or public institution where a safety threat is made.

Any person or entity acting reasonably and in good faith in compliance with this section shall not be subject to criminal, civil or administrative liability solely by reason of such action.

Failure to report a school safety threat is a class A misdemeanor.

§ 2. The education law is amended by adding a new section 2803 to read as follows:

§ 2803. Mandatory reporting of school safety threats. 1. (a) Any individual who becomes aware of a threat against a school, student, or educational institution through social media or any other written, verbal, or electronic communication shall report it immediately to local law enforcement authorities. Such reports may be made via telephone, email, or in person.

(b) The provisions of paragraph (a) of this subdivision shall not apply to individuals who are under the age of thirteen or whose mental judgment is otherwise impaired.

2. (a) The department, in partnership with law enforcement agencies, shall develop a statewide education program to inform students, parents, teachers, and school staff about the importance of reporting school safety threats and the consequences of failing to do so pursuant to section 240.64 of the penal law.

(b) Schools shall conduct annual training sessions to ensure that students and staff understand their responsibilities pursuant to this section.

3. The department, in collaboration with local law enforcement agencies, shall establish rules and regulations for processing and responding to school safety threats reported pursuant to this section, including identifying, investigating, and responding to credible and non-credible school safety threats efficiently.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law.