

# STATE OF NEW YORK

7215

2025-2026 Regular Sessions

## IN ASSEMBLY

March 21, 2025

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

AN ACT to amend the penal law, in relation to establishing the crimes of aggravated falsely reporting an incident in the first, second and third degrees; to amend the criminal procedure law, in relation to the arrest of persons believed to have committed aggravated falsely reporting an incident; to amend the penal law and the civil rights law, in relation to including falsely reporting an incident as a hate crime; to amend the executive law, in relation to establishing databases of law enforcement officers and persons who have been convicted of falsely reporting an incident; and to amend the criminal procedure law, in relation to notifying persons of the termination of certain criminal actions or proceedings

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "universal stop false police reporting act".

3 § 2. The penal law is amended by adding three new sections 240.80,  
4 240.81 and 240.82 to read as follows:

5 § 240.80 Aggravated falsely reporting an incident in the third degree.

6 A person is guilty of aggravated falsely reporting an incident in the  
7 third degree when with intent to harass, annoy, threaten or alarm anoth-  
8 er person, because of a belief or perception regarding a person's race,  
9 color, national origin, ancestry, religion, gender, disability, sexual  
10 orientation, gender identity or expression, or ethnicity regardless of  
11 whether the belief or perception is correct, such person commits the  
12 crime of falsely reporting an incident in the third degree pursuant to  
13 section 240.50 of this article. For the purposes of this section, the  
14 term "person" shall be deemed to include a law enforcement officer.

15 Aggravated falsely reporting an incident in the third degree is a  
16 class E felony.

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

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1 § 240.81 Aggravated falsely reporting an incident in the second degree.

2 A person is guilty of aggravated falsely reporting an incident in the  
3 second degree when with intent to harass, annoy, threaten or alarm  
4 another person, because of a belief or perception regarding a person's  
5 race, color, national origin, ancestry, religion, gender, disability,  
6 sexual orientation, gender identity or expression, or ethnicity regard-  
7 less of whether the belief or perception is correct, such person commits  
8 the crime of falsely reporting an incident in the second degree pursuant  
9 to section 240.55 of this article. For the purposes of this section, the  
10 term "person" shall be deemed to include a law enforcement officer.

11 Aggravated falsely reporting an incident in the second degree is a  
12 class D felony.

13 § 240.82 Aggravated falsely reporting an incident in the first degree.

14 A person is guilty of aggravated falsely reporting an incident in the  
15 first degree when with intent to harass, annoy, threaten or alarm anoth-  
16 er person, because of a belief or perception regarding a person's race,  
17 color, national origin, ancestry, religion, gender, disability, sexual  
18 orientation, gender identity or expression, or ethnicity regardless of  
19 whether the belief or perception is correct, such person commits the  
20 crime of falsely reporting an incident in the first degree pursuant to  
21 section 240.60 of this article. For the purposes of this section, the  
22 term "person" shall be deemed to include a law enforcement officer.

23 Aggravated falsely reporting an incident in the first degree is a  
24 class C felony.

25 § 3. Section 140.10 of the criminal procedure law is amended by adding  
26 a new subdivision 7 to read as follows:

27 7. Notwithstanding any other provisions of this section, a police  
28 officer shall arrest a person, and shall not attempt to reconcile the  
29 parties or mediate, where such officer has reasonable cause to believe  
30 that a felony constituting falsely reporting an incident in the third  
31 degree pursuant to section 240.50 of the penal law, falsely reporting an  
32 incident in the second degree pursuant to section 240.55 of the penal  
33 law, falsely reporting an incident in the first degree pursuant to  
34 section 240.60 of the penal law, aggravated falsely reporting an inci-  
35 dent in the third degree pursuant to section 240.80 of the penal law,  
36 aggravated falsely reporting an incident in the second degree pursuant  
37 to section 240.81 of the penal law, or aggravated falsely reporting an  
38 incident in the first degree pursuant to section 240.82 of the penal law  
39 has been committed by such person.

40 § 4. Subdivision 3 of section 485.05 of the penal law, as amended by  
41 section 2 of part C of chapter 55 of the laws of 2024, is amended to  
42 read as follows:

43 3. A "specified offense" is an offense defined by any of the following  
44 provisions of this chapter: section 120.00 (assault in the third  
45 degree); section 120.05 (assault in the second degree); section 120.06  
46 (gang assault in the second degree); section 120.07 (gang assault in the  
47 first degree); section 120.10 (assault in the first degree); section  
48 120.12 (aggravated assault upon a person less than eleven years old);  
49 section 120.13 (menacing in the first degree); section 120.14 (menacing  
50 in the second degree); section 120.15 (menacing in the third degree);  
51 section 120.20 (reckless endangerment in the second degree); section  
52 120.25 (reckless endangerment in the first degree); section 121.11  
53 (criminal obstruction of breathing or blood circulation); section 121.12  
54 (strangulation in the second degree); section 121.13 (strangulation in  
55 the first degree); subdivision one of section 125.15 (manslaughter in  
56 the second degree); subdivision one, two or four of section 125.20

1 (manslaughter in the first degree); section 125.25 (murder in the second  
2 degree); section 125.26 (aggravated murder); section 125.27 (murder in  
3 the first degree); section 120.45 (stalking in the fourth degree);  
4 section 120.50 (stalking in the third degree); section 120.55 (stalking  
5 in the second degree); section 120.60 (stalking in the first degree);  
6 section 130.20 (sexual misconduct); section 130.25 (rape in the third  
7 degree); section 130.30 (rape in the second degree); section 130.35  
8 (rape in the first degree); former section 130.40; former section  
9 130.45; former section 130.50; section 130.52 (forcible touching);  
10 section 130.53 (persistent sexual abuse); section 130.55 (sexual abuse  
11 in the third degree); section 130.60 (sexual abuse in the second  
12 degree); section 130.65 (sexual abuse in the first degree); section  
13 130.65-a (aggravated sexual abuse in the fourth degree); section 130.66  
14 (aggravated sexual abuse in the third degree); section 130.67 (aggra-  
15 vated sexual abuse in the second degree); section 130.70 (aggravated  
16 sexual abuse in the first degree); section 135.05 (unlawful imprisonment  
17 in the second degree); section 135.10 (unlawful imprisonment in the  
18 first degree); section 135.20 (kidnapping in the second degree); section  
19 135.25 (kidnapping in the first degree); section 135.60 (coercion in the  
20 third degree); section 135.61 (coercion in the second degree); section  
21 135.65 (coercion in the first degree); section 140.10 (criminal trespass  
22 in the third degree); section 140.15 (criminal trespass in the second  
23 degree); section 140.17 (criminal trespass in the first degree); section  
24 140.20 (burglary in the third degree); section 140.25 (burglary in the  
25 second degree); section 140.30 (burglary in the first degree); section  
26 145.00 (criminal mischief in the fourth degree); section 145.05 (crimi-  
27 nal mischief in the third degree); section 145.10 (criminal mischief in  
28 the second degree); section 145.12 (criminal mischief in the first  
29 degree); section 150.05 (arson in the fourth degree); section 150.10  
30 (arson in the third degree); section 150.15 (arson in the second  
31 degree); section 150.20 (arson in the first degree); section 155.25  
32 (petit larceny); section 155.30 (grand larceny in the fourth degree);  
33 section 155.35 (grand larceny in the third degree); section 155.40  
34 (grand larceny in the second degree); section 155.42 (grand larceny in  
35 the first degree); section 160.05 (robbery in the third degree); section  
36 160.10 (robbery in the second degree); section 160.15 (robbery in the  
37 first degree); section 230.34 (sex trafficking); section 230.34-a (sex  
38 trafficking of a child); section 240.25 (harassment in the first  
39 degree); subdivision one, two or four of section 240.30 (aggravated  
40 harassment in the second degree); section 240.50 (falsely reporting an  
41 incident in the third degree); section 240.55 (falsely reporting an  
42 incident in the second degree); section 240.60 (falsely reporting an  
43 incident in the first degree); section 240.80 (aggravated falsely  
44 reporting an incident in the third degree); section 240.81 (aggravated  
45 falsely reporting an incident in the second degree); section 240.82  
46 (aggravated falsely reporting an incident in the first degree); subdivi-  
47 sion one of section 265.03 (criminal possession of a weapon in the  
48 second degree); subdivision one of section 265.04 (criminal possession  
49 of a weapon in the first degree); section 490.10 (soliciting or provid-  
50 ing support for an act of terrorism in the second degree); section  
51 490.15 (soliciting or providing support for an act of terrorism in the  
52 first degree); section 490.20 (making a terroristic threat); section  
53 490.25 (crime of terrorism); section 490.30 (hindering prosecution of  
54 terrorism in the second degree); section 490.35 (hindering prosecution  
55 of terrorism in the first degree); section 490.37 (criminal possession  
56 of a chemical weapon or biological weapon in the third degree); section

1 490.40 (criminal possession of a chemical weapon or biological weapon in  
2 the second degree); section 490.45 (criminal possession of a chemical  
3 weapon or biological weapon in the first degree); section 490.47 (crimi-  
4 nal use of a chemical weapon or biological weapon in the third degree);  
5 section 490.50 (criminal use of a chemical weapon or biological weapon  
6 in the second degree); section 490.55 (criminal use of a chemical weapon  
7 or biological weapon in the first degree); or any attempt or conspiracy  
8 to commit any of the foregoing offenses.

9 § 5. Subdivision 2 of section 79-n of the civil rights law, as amended  
10 by chapter 213 of the laws of 2022, is amended to read as follows:

11 2. Any person who intentionally selects a person or property for harm  
12 or causes damage to the property of another or causes physical injury or  
13 death to another, or subjects a person to conduct that would constitute  
14 harassment under section 240.25 of the penal law, or subjects a person  
15 to conduct that results in a conviction under section 240.80 (aggravated  
16 falsely reporting an incident in the third degree), section 240.81  
17 (aggravated falsely reporting an incident in the second degree), or  
18 section 240.82 (aggravated falsely reporting an incident in the first  
19 degree) of the penal law, or summons a police officer or peace officer  
20 without reason to suspect a violation of the penal law, any other crimi-  
21 nal conduct, or an imminent threat to a person or property, in whole or  
22 in substantial part because of a belief or perception regarding the  
23 race, color, national origin, ancestry, gender, religion, religious  
24 practice, age, disability or sexual orientation of a person, regardless  
25 of whether the belief or perception is correct, or any person who aids  
26 or incites any such conduct, shall be liable, in a civil action or  
27 proceeding maintained by such individual or group of individuals, for  
28 injunctive relief, damages, or any other appropriate relief in law or  
29 equity. If it shall appear to the satisfaction of the court or justice  
30 that the respondent has, in fact, violated this section, an injunction  
31 may be issued by such court or justice, enjoining and restraining any  
32 further violation, without requiring proof that any person has, in fact,  
33 been injured or damaged thereby. For the purposes of this subdivision, a  
34 person lacks reason to suspect a violation of the penal law, any other  
35 criminal conduct, or an imminent threat to a person or property where a  
36 reasonable person would not suspect such violation, conduct, or threat.

37 § 6. Subdivision 3 of section 75 of the executive law is amended by  
38 adding a new paragraph (c-1) to read as follows:

39 (c-1) establish a public, searchable database of all officers or  
40 employees of covered agencies who have been convicted under section  
41 240.80 (aggravated falsely reporting an incident in the third degree),  
42 section 240.81 (aggravated falsely reporting an incident in the second  
43 degree) and section 240.82 (aggravated falsely reporting an incident in  
44 the first degree) of the penal law where such officer or employee  
45 committed the offense in whole or in substantial part because of a  
46 belief or perception regarding the race, color, national origin, ances-  
47 try, religion, gender, disability, sexual orientation, gender identity  
48 or expression, or ethnicity of a person, regardless of whether the  
49 belief or perception is correct;

50 § 7. The executive law is amended by adding a new section 837-y to  
51 read as follows:

52 § 837-y. False reporting database. The division shall establish a  
53 public, searchable database of all convictions under section 240.80  
54 (aggravated falsely reporting an incident in the third degree), section  
55 240.81 (aggravated falsely reporting an incident in the second degree)  
56 and section 240.82 (aggravated falsely reporting an incident in the

1 first degree) of the penal law where a person committed the offense in  
2 whole or in substantial part because of a belief or perception regarding  
3 the race, color, national origin, ancestry, religion, gender, disabili-  
4 ty, sexual orientation, gender identity or expression, or ethnicity of a  
5 person, regardless of whether the belief or perception is correct.

6 § 8. Section 160.50 of the criminal procedure law is amended by adding  
7 a new subdivision 6 to read as follows:

8 6. In the case of the termination of a criminal action or proceeding  
9 against a person in favor of such person where the criminal action or  
10 proceeding is being terminated due to a violation of section 240.80  
11 (aggravated falsely reporting an incident in the third degree), section  
12 240.81 (aggravated falsely reporting an incident in the second degree),  
13 or section 240.82 (aggravated falsely reporting an incident in the first  
14 degree) of the penal law, the prosecutor shall notify such person by  
15 providing such person with unredacted copies of any police reports  
16 related to the criminal action or proceeding that was terminated and a  
17 detailed written explanation of the reason such criminal action or  
18 proceeding is being terminated. The written explanation shall, at a  
19 minimum, disclose the identity of the accuser and include an explanation  
20 of whether the accuser changed their mind about testifying or providing  
21 evidence to support their claim. Such notification shall be provided to  
22 the person or such person's attorney within five days of the dismissal  
23 of such criminal action or proceeding.

24 § 9. This act shall take effect immediately.