

STATE OF NEW YORK

7215--A

2025-2026 Regular Sessions

IN ASSEMBLY

March 21, 2025

Introduced by M. of A. RAMOS -- Multi-Sponsored by -- M. of A. SIMON --
read once and referred to the Committee on Codes -- recommitted to the
Committee on Codes in accordance with Assembly Rule 3, sec. 2 --
committee discharged, bill amended, ordered reprinted as amended and
recommitted to said committee

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 data-
bases of law enforcement officers and persons who have been convicted
of falsely reporting an incident; and to amend the criminal procedure
law and the civil practice law and rules, in relation to notifying
persons of the termination of certain criminal actions or proceedings
and the timeframe for bringing a cause of action for false reporting

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

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

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

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1 section 240.50 of this article. For the purposes of this section, the
2 term "person" shall be deemed to include a law enforcement officer.

3 Aggravated falsely reporting an incident in the third degree is a
4 class E felony.

5 § 240.81 Aggravated falsely reporting an incident in the second degree.

6 A person is guilty of aggravated falsely reporting an incident in the
7 second degree when with intent to harass, annoy, threaten or alarm
8 another person, because of a belief or perception regarding a person's
9 race, color, national origin, ancestry, religion, gender, disability,
10 sexual orientation, gender identity or expression, or ethnicity regard-
11 less of whether the belief or perception is correct, such person commits
12 the crime of falsely reporting an incident in the second degree pursuant
13 to section 240.55 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 second degree is a
16 class D felony.

17 § 240.82 Aggravated falsely reporting an incident in the first degree.

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

27 Aggravated falsely reporting an incident in the first degree is a
28 class C felony.

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

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

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

47 3. A "specified offense" is an offense defined by any of the following
48 provisions of this chapter: section 120.00 (assault in the third
49 degree); section 120.05 (assault in the second degree); section 120.06
50 (gang assault in the second degree); section 120.07 (gang assault in the
51 first degree); section 120.10 (assault in the first degree); section
52 120.12 (aggravated assault upon a person less than eleven years old);
53 section 120.13 (menacing in the first degree); section 120.14 (menacing
54 in the second degree); section 120.15 (menacing in the third degree);
55 section 120.20 (reckless endangerment in the second degree); section
56 120.25 (reckless endangerment in the first degree); section 121.11

1 (criminal obstruction of breathing or blood circulation); section 121.12
2 (strangulation in the second degree); section 121.13 (strangulation in
3 the first degree); subdivision one of section 125.15 (manslaughter in
4 the second degree); subdivision one, two or four of section 125.20
5 (manslaughter in the first degree); section 125.25 (murder in the second
6 degree); section 125.26 (aggravated murder); section 125.27 (murder in
7 the first degree); section 120.45 (stalking in the fourth degree);
8 section 120.50 (stalking in the third degree); section 120.55 (stalking
9 in the second degree); section 120.60 (stalking in the first degree);
10 section 130.20 (sexual misconduct); section 130.25 (rape in the third
11 degree); section 130.30 (rape in the second degree); section 130.35
12 (rape in the first degree); former section 130.40; former section
13 130.45; former section 130.50; section 130.52 (forcible touching);
14 section 130.53 (persistent sexual abuse); section 130.55 (sexual abuse
15 in the third degree); section 130.60 (sexual abuse in the second
16 degree); section 130.65 (sexual abuse in the first degree); section
17 130.65-a (aggravated sexual abuse in the fourth degree); section 130.66
18 (aggravated sexual abuse in the third degree); section 130.67 (aggra-
19 vated sexual abuse in the second degree); section 130.70 (aggravated
20 sexual abuse in the first degree); section 135.05 (unlawful imprisonment
21 in the second degree); section 135.10 (unlawful imprisonment in the
22 first degree); section 135.20 (kidnapping in the second degree); section
23 135.25 (kidnapping in the first degree); section 135.60 (coercion in the
24 third degree); section 135.61 (coercion in the second degree); section
25 135.65 (coercion in the first degree); section 140.10 (criminal trespass
26 in the third degree); section 140.15 (criminal trespass in the second
27 degree); section 140.17 (criminal trespass in the first degree); section
28 140.20 (burglary in the third degree); section 140.25 (burglary in the
29 second degree); section 140.30 (burglary in the first degree); section
30 145.00 (criminal mischief in the fourth degree); section 145.05 (crimi-
31 nal mischief in the third degree); section 145.10 (criminal mischief in
32 the second degree); section 145.12 (criminal mischief in the first
33 degree); section 150.05 (arson in the fourth degree); section 150.10
34 (arson in the third degree); section 150.15 (arson in the second
35 degree); section 150.20 (arson in the first degree); section 155.25
36 (petit larceny); section 155.30 (grand larceny in the fourth degree);
37 section 155.35 (grand larceny in the third degree); section 155.40
38 (grand larceny in the second degree); section 155.42 (grand larceny in
39 the first degree); section 160.05 (robbery in the third degree); section
40 160.10 (robbery in the second degree); section 160.15 (robbery in the
41 first degree); section 230.34 (sex trafficking); section 230.34-a (sex
42 trafficking of a child); section 240.25 (harassment in the first
43 degree); subdivision one, two or four of section 240.30 (aggravated
44 harassment in the second degree); section 240.50 (falsely reporting an
45 incident in the third degree); section 240.55 (falsely reporting an
46 incident in the second degree); section 240.60 (falsely reporting an
47 incident in the first degree); section 240.80 (aggravated falsely
48 reporting an incident in the third degree); section 240.81 (aggravated
49 falsely reporting an incident in the second degree); section 240.82
50 (aggravated falsely reporting an incident in the first degree); subdivi-
51 sion one of section 265.03 (criminal possession of a weapon in the
52 second degree); subdivision one of section 265.04 (criminal possession
53 of a weapon in the first degree); section 490.10 (soliciting or provid-
54 ing support for an act of terrorism in the second degree); section
55 490.15 (soliciting or providing support for an act of terrorism in the
56 first degree); section 490.20 (making a terroristic threat); section

1 490.25 (crime of terrorism); section 490.30 (hindering prosecution of
2 terrorism in the second degree); section 490.35 (hindering prosecution
3 of terrorism in the first degree); section 490.37 (criminal possession
4 of a chemical weapon or biological weapon in the third degree); section
5 490.40 (criminal possession of a chemical weapon or biological weapon in
6 the second degree); section 490.45 (criminal possession of a chemical
7 weapon or biological weapon in the first degree); section 490.47 (crimi-
8 nal use of a chemical weapon or biological weapon in the third degree);
9 section 490.50 (criminal use of a chemical weapon or biological weapon
10 in the second degree); section 490.55 (criminal use of a chemical weapon
11 or biological weapon in the first degree); or any attempt or conspiracy
12 to commit any of the foregoing offenses.

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

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

41 § 6. Subdivision 3 of section 75 of the executive law is amended by
42 adding two new paragraphs (a-1) and (c-1) to read as follows:

43 (a-1) receive and investigate complaints or reports from any source,
44 or upon the deputy attorney general's own initiative, concerning any
45 allegations involving falsely reporting an incident pursuant to article
46 two hundred forty of the penal law.

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

1 belief or perception is correct. Such database shall include the name
2 and a photo of the officer or employee who committed the offense;

3 § 7. The executive law is amended by adding a new section 76 to read
4 as follows:

5 § 76. False reporting database. The office of the attorney general
6 shall establish a public, searchable database of all convictions under
7 section 240.80 (aggravated falsely reporting an incident in the third
8 degree), section 240.81 (aggravated falsely reporting an incident in the
9 second degree) and section 240.82 (aggravated falsely reporting an inci-
10 dent in the first degree) of the penal law where a person committed the
11 offense in whole or in substantial part because of a belief or percep-
12 tion regarding the race, color, national origin, ancestry, religion,
13 gender, disability, sexual orientation, gender identity or expression,
14 or ethnicity of a person, regardless of whether the belief or perception
15 is correct. Such database shall include the name and a photo of the
16 officer or employee who committed the offense.

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

19 6. In the case of the termination of a criminal action or proceeding
20 against a person in favor of such person where the criminal action or
21 proceeding is being terminated due to a violation of section 240.80
22 (aggravated falsely reporting an incident in the third degree), section
23 240.81 (aggravated falsely reporting an incident in the second degree),
24 or section 240.82 (aggravated falsely reporting an incident in the first
25 degree) of the penal law, the prosecutor shall notify such person by
26 providing such person with unredacted copies of any police reports
27 related to the criminal action or proceeding that was terminated and a
28 detailed written explanation of the reason such criminal action or
29 proceeding is being terminated. The written explanation shall, at a
30 minimum: (a) disclose the identity of the accuser; (b) include an expla-
31 nation of whether the accuser changed their mind about testifying; and
32 (c) include an explanation of whether the accuser had evidence to
33 support their claim. Such notification shall be provided to the person
34 or such person's attorney within five days of the dismissal of such
35 criminal action or proceeding.

36 § 9. Subdivision 3 of section 30.10 of the criminal procedure law is
37 amended by adding a new paragraph (i) to read as follows:

38 (i) A prosecution for any felony defined in sections 240.80, 240.81,
39 and 240.82 of the penal law relating to aggravated falsely reporting an
40 incident may be commenced at any time.

41 § 10. The section heading of section 214 of the civil practice law and
42 rules, as separately amended by chapters 485 and 682 of the laws of
43 1986, is amended and a new subdivision 8 is added to read as follows:

44 Actions to be commenced within three years: for non-payment of money
45 collected on execution; for penalty created by statute; to recover chat-
46 tel; for injury to property; for personal injury; for malpractice other
47 than medical, dental or podiatric malpractice; to annul a marriage on
48 the ground of fraud; or for falsely reporting an incident.

49 8. an action to recover damages as a result of conduct that results in
50 a conviction under section 240.80 (aggravated falsely reporting an inci-
51 dent in the third degree), section 240.81 (aggravated falsely reporting
52 an incident in the second degree), or section 240.82 (aggravated falsely
53 reporting an incident in the first degree) of the penal law; provided,
54 however, that an action to recover damages as a result of such conduct
55 that results in such a conviction may be commenced beyond such three-
56 year time limit if the victim of such conduct provides proof that one or

1 more of the following hardships prevented the victim from filing an
2 action within the three-year time limit:

3 (a) Lack of knowledge of the three-year time limit;

4 (b) Delayed discovery of injury or harm;

5 (c) Mental or physical incapacity;

6 (d) Being a minor at the time of the incident;

7 (e) Pending investigations or criminal proceedings;

8 (f) Court closures or emergencies;

9 (g) Difficulty finding an attorney or gathering evidence;

10 (h) Fear of retaliation or intimidation;

11 (i) Lack of access to financial or legal resources;

12 (j) Police obstruction or refusal to file a report;

13 (k) New evidence discovered that was previously unknown or suppressed;

14 or

15 (l) Freedom of information requests denied by police or the district
16 attorney's office for police reports, court records, court investi-
17 gations, or sealed records related to the victim's case.

18 § 11. This act shall take effect immediately.