

STATE OF NEW YORK

8381

2025-2026 Regular Sessions

IN ASSEMBLY

May 13, 2025

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

AN ACT to amend the penal law, in relation to criminal impersonation in
the first degree

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

1 Section 1. Section 190.26 of the penal law, as amended by chapter 2 of
2 the laws of 1998, and subdivision 1 as amended by chapter 434 of the
3 laws of 2008, is amended to read as follows:

4 § 190.26 Criminal impersonation in the first degree.

5 A person is guilty of criminal impersonation in the first degree when
6 [~~he~~] such person:

7 1. (a) Pretends to be a police officer or a federal law enforcement
8 officer as enumerated in section 2.15 of the criminal procedure law, or
9 wears or displays without authority, any uniform, badge or other insig-
10 nia or facsimile thereof, by which such police officer or federal law
11 enforcement officer is lawfully distinguished or expresses by [~~his or~~
12 ~~her~~] words or actions that [~~he or she~~] such person is acting with the
13 approval or authority of any police department or acting as a federal
14 law enforcement officer with the approval of any agency that employs
15 federal law enforcement officers as enumerated in section 2.15 of the
16 criminal procedure law; and

17 [~~2. so~~] (b) so acts with intent to induce another to submit to such
18 pretended official authority or otherwise to act in reliance upon said
19 pretense and, in the course of such pretense, commits or attempts to
20 commit a felony; or

21 [~~3.~~] 2. Pretending to be a duly licensed physician or other person
22 authorized to issue a prescription for any drug or any instrument or
23 device used in the taking or administering of drugs for which a
24 prescription is required by law, communicates to a pharmacist an oral

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

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1 prescription which is required to be reduced to writing pursuant to
2 section thirty-three hundred thirty-two of the public health law; or

3 3.(a) Pretends to be a firefighter, or wears or displays, without
4 authority, any uniform, badge, insignia or facsimile thereof by which
5 such public servant is lawfully distinguished, or falsely expresses by
6 words or actions that such person is a public servant or is acting with
7 approval or authority of a public agency or department; and

8 (b) while doing so obstructs a firefighter, police officer, or peace
9 officer in performing their duties in circumstances involving imminent
10 danger created by a fire, an explosion, threat of explosion or the pres-
11 ence of toxic fumes or gases.

12 Criminal impersonation in the first degree is a class E felony.

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