

STATE OF NEW YORK

8592

2025-2026 Regular Sessions

IN ASSEMBLY

May 21, 2025

Introduced by M. of A. DINOWITZ, HUNTER, STECK, STIRPE, BUTTENSCHON, MILLER, MANKTELOW, DeSTEFANO, JACOBSON, DiPIETRO, EACHUS, BRABENEC -- Multi-Sponsored by -- M. of A. McDONOUGH -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to establishing the offenses of reckless endangerment of an emergency service person in the first degree and reckless endangerment of an emergency service person in the second degree

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

1 Section 1. The penal law is amended by adding three new sections
2 120.26, 120.27 and 120.28 to read as follows:

3 § 120.26 Definitions.

4 For the purposes of sections 120.27 and 120.28 of this article, "emer-
5 gency service person" shall mean any of the following persons:

6 1. a firefighter;

7 2. a police officer;

8 3. a peace officer;

9 4. an emergency services professional;

10 5. a code enforcement officer;

11 6. a fire inspection personnel; or

12 7. a building inspector.

13 § 120.27 Reckless endangerment of an emergency service person in the
14 second degree.

15 A person is guilty of reckless endangerment of an emergency service
16 person in the second degree when, knowing that a building permit is
17 required and without obtaining such permit, such person alters,
18 converts, encloses, subdivides or partitions any building or structure
19 in violation of the New York state uniform fire prevention and building
20 code or any other provision of general, special or local law, ordinance,
21 administrative code, rule or regulation addressing standards for build-

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

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1 ing construction and fire prevention in a manner that impedes a person's
2 egress and during a fire or other emergency evacuation and such conduct
3 results in the injury of an emergency service person.

4 Reckless endangerment of an emergency service person in the second
5 degree is a class E felony.

6 § 120.28 Reckless endangerment of an emergency service person in the
7 first degree.

8 A person is guilty of reckless endangerment of an emergency service
9 person in the first degree when such person commits the crime of reck-
10 less endangerment of an emergency service person in the second degree
11 and:

12 1. during such fire or other emergency evacuation such conduct results
13 in the death of an emergency service person; or

14 2. has previously been convicted within the last ten years of reckless
15 endangerment of an emergency service person in the first or second
16 degree.

17 Reckless endangerment of an emergency service person in the first
18 degree is a class D felony.

19 § 2. This act shall take effect on the first of November next succeed-
20 ing the date on which it shall have become a law.