

# STATE OF NEW YORK

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2641

2025-2026 Regular Sessions

## IN SENATE

January 22, 2025

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Introduced by Sen. ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to including the use of a governmental agency to harass a person within the crime of aggravated harassment in the first degree

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

1 Section 1. Subdivisions 2 and 5 of section 240.31 of the penal law,  
2 subdivision 2 as amended by chapter 49 of the laws of 2006 and subdivi-  
3 sion 5 as added by chapter 74 of the laws of 2008, are amended to read  
4 as follows:

5 2. Commits the crime of aggravated harassment in the second degree in  
6 the manner proscribed by the provisions of subdivision three of section  
7 240.30 of this article and has been previously convicted of the crime of  
8 aggravated harassment in the second degree for the commission of conduct  
9 proscribed by the provisions of subdivision three of section 240.30 of  
10 this article or [~~he or she~~] such person has been previously convicted of  
11 the crime of aggravated harassment in the first degree within the  
12 preceding ten years; or

13 5. Either (a) unlawfully discloses confidential information concerning  
14 another person such person intends to harass, annoy, threaten, or alarm  
15 which such person obtained from a government agency or any political  
16 subdivision of the state or municipality, in a manner likely to cause  
17 annoyance or alarm; or (b) unlawfully causes personnel employed by a  
18 governmental agency or any political subdivision of the state or munici-  
19 pality to contact or interact with another person such person intends to  
20 harass, annoy, threaten, or alarm in an official capacity, in a manner  
21 likely to cause annoyance or alarm; or

22 6. Etches, paints, draws upon or otherwise places or displays a noose,  
23 commonly exhibited as a symbol of racism and intimidation, on any build-  
24 ing or other real property, public or private, owned by any person, firm

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

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1 or corporation or any public agency or instrumentality, without express  
2 permission of the owner or operator of such building or real property.  
3 § 2. This act shall take effect on the first of November next succeed-  
4 ing the date on which it shall have become a law.